

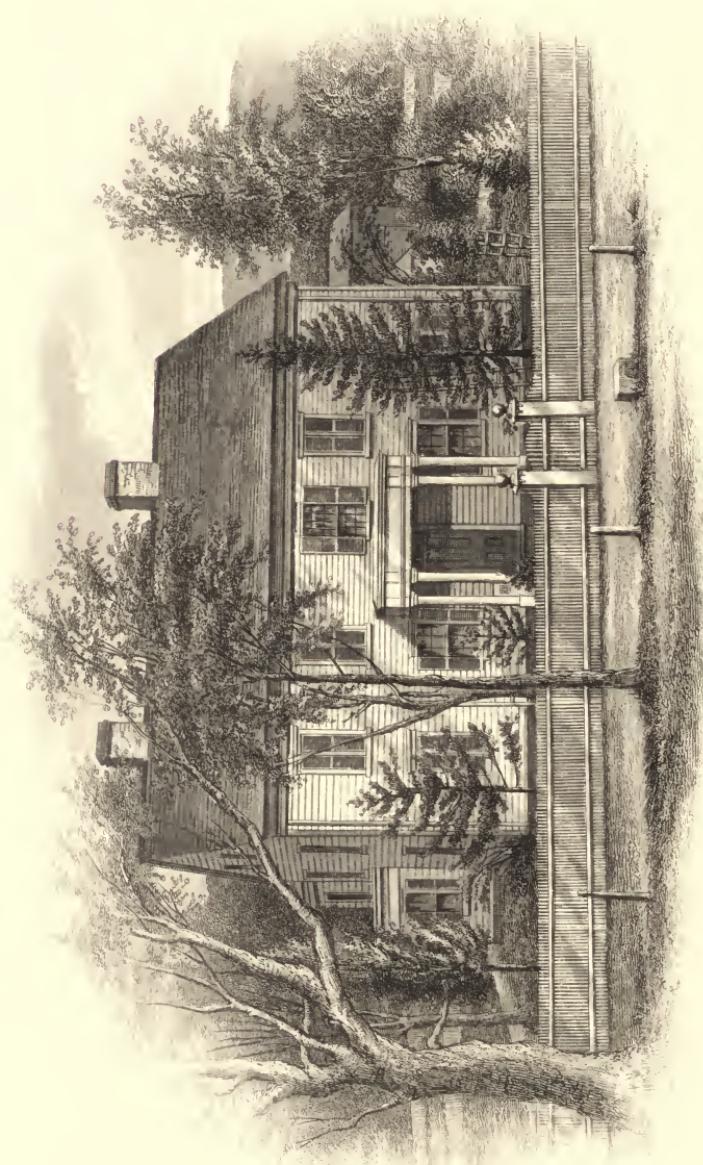


THE LIFE
OF
TIMOTHY PICKERING.

VOL. III.



TO VIVI
ANARCHIA



TO VIVI
ANARCHIA

THE LIFE
OF
TIMOTHY PICKERING.

BY
CHARLES W. UPHAM.

VOLUME III.

LIBRARY OF
CALIFORNIA

BOSTON:
LITTLE, BROWN, AND COMPANY.
1873.

E302
P5PE
v. 3

Entered according to Act of Congress, in the year 1873, by
HENRY PICKERING,
In the Office of the Librarian of Congress, at Washington.

NO. LIVIUS
CAMBRIDGE

CAMBRIDGE:
PRESS OF JOHN WILSON AND SON.

LIFE OF TIMOTHY PICKERING.

CHAPTER I.

The Post-office Establishment in 1791.—Applications for Appointment as Local Postmasters.—Colonel Pickering and Judge Peters.—Preaching provided at Wyoming.—The War with the Indians north-west of the Ohio.—Colonel Pickering's Service in negotiating a third Treaty with the Six Nations.—Removal of his Family to Philadelphia.—Visit to New England.—Family Correspondence.

1791, 1792.

IMMEDIATELY after entering upon office as Postmaster-General, Colonel Pickering looked around for a house, but not finding one that was suitable and the winter coming on, it was thought best not to attempt to remove his family from Wyoming until the spring. As a school at Nazareth, in which he had proposed to place his boys, was found to be full, Mr. Bradley, having succeeded Mr. Bowman in that charge, continued to give them instruction at home.

The postal provisions made by the old Congress of the Confederation were temporarily continued from session to session of the first Congress under the new Constitution, Mr. Osgood remaining in office as Postmaster-General. In his last report made to the Secretary of the Treasury, January 20th, 1790, he says,

“ The gross receipts, in any one year, have not exceeded thirty-five thousand dollars, and for the two last years have been at about twenty-five thousand dollars a year.” He gives his opinion of the causes that led to this unproductiveness of the system; among them the heavy rates of postage: that on a single letter between New York and Savannah being thirty-six cents, which, he says, “ almost amounts to a prohibition of communication through the Post-office.”

An act, passed the first session of Congress after Colonel Pickering’s appointment, raised the salary of the Postmaster-General to two thousand dollars, with an assistant, to receive one thousand dollars, and a small allowance for a clerk. Two years afterwards his salary was raised to two thousand four hundred dollars, that of his assistant to twelve hundred, and two thousand five hundred dollars was further allowed to be distributed among five sub-clerks. The rates of postage were established by law, in the two first Congresses under the Constitution, ranging in prices, for single letters, from six cents—if carried thirty miles or less—in sums proportioned to distances up to twenty-two cents for “ not exceeding four hundred and fifty miles,” and twenty-five cents for all distances “ more than four hundred and fifty” miles; a “ single letter” was not to weigh more than a quarter of an ounce avoirdupois; those weighing more than one quarter, and not above two, were charged double postage, and so on.

Colonel Pickering’s manuscripts illustrate the contrast, in the arrangements and apparatus of the Post-office department, between that day and this; as, for instance, the following letter from him to the Secretary of the Treasury:—

“GENERAL POST-OFFICE, March 9th, 1792.

“SIR,

“After much inquiry, I have found a house which would accommodate my numerous family, and at the same time give me office room. The *greatly extended* business of the department, I think, may be accomplished with the *same help* which has been used since the time of Mr. Osgood’s appointment; to wit, an assistant and clerk. For these, with their necessary writing-desk, table, boxes, cases, and shelves, for a considerable bulk of books and papers, would sufficiently occupy one room; and another room would be convenient for myself. A servant also will be wanted to keep the rooms in order, make fires, and perform other services. These services, however, not being constant, I could employ a *domestic* servant, but one selected with a reference to such public service. If, for the two rooms for the General Post-office, a cellar for wood, and the necessary attendance of my domestic servant, I might make a charge of about three hundred dollars, I would then engage the house referred to; but, previous to such engagement, I wish to obtain your opinion of the propriety of the charge.”

Hamilton replied as follows: —

“I have received the communication which you made to me, with respect of the contingent expenses of the General Post-office; and, in comparing the sum you mention with the charges for similar objects, which have been necessarily sustained in this department and in the public service in general, I cannot perceive any thing in the arrangement you propose but what appears consistent with the interests of the United States.”

During Mr. Osgood’s administration of the General Post-office, he had a room connected with that of the City Post-office in the city of New York. The Boston Post-office was a room in the Postmaster’s dwelling-house. The mail was carried on horseback between New York and Philadelphia. Mr. Jefferson’s observing

mind had noticed abroad, that what was regarded as great speed was effected by combining, in the transportation of mails, coaches, where they could be had, with express horses elsewhere ; and, thinking it possible that such a system might be introduced in this country, he wrote the following note to Colonel Pickering :—

“ PHILADELPHIA, March 9th, 1792, Wednesday morning.

“ SIR,

“ The President has desired me to confer with you on the proposition I made the other day of endeavoring to move the posts at the rate of one hundred miles a day. It is believed to be practicable here, because it is practised in every other country. The difference of expense alone appeared to produce doubts with you on the subject. If you have no engagement for dinner to-day, and will do me the favor to come and dine with me, we will be entirely alone, and it will give us time to go over the matter and weigh it thoroughly. I will, in that case, ask the favor of you to furnish yourself with such notes as may ascertain the present expense of the posts, for one day in the week, to Boston and Richmond, and enable us to calculate the savings which may be made by availing ourselves of the stages. Be pleased to observe that the stages travel all the day. There seems nothing necessary for us, then, but to hand the mail along through the night, till it may fall in with another stage the next day, if motives of economy should oblige us to be thus attentive to small savings. If a little latitude of expense can be allowed, I should be for only using the stages the first day, and then have our own riders. I am anxious that the thing should be begun, by way of experiment, for a short distance ; because I believe it will so increase the income of the Post-office as to show we may go through with it. I shall hope to see you at three o'clock.”

The country at that time felt so poor, and there was such a morbid horror of taxation, that no conferences among the members of the government, like that to which the Secretary of State invited the Postmaster-

General, could devise a scheme that would be thought expedient by Congress, or meet with the approbation of the people. In the state of the roads generally, even the most travelled sections, wheel-carriages were irregular and uncertain. The use of a wagon, expressly for the purpose of carrying the mail between New York and Philadelphia, had to be dispensed with and the saddle resorted to. The organization of a universal system of riders, in the pay of the government, was out of the question. It would have required an army of mail-carriers, with relays of horses at every post, and would not have been tolerated on either economical or political grounds. The department had to get along as it could, extending, as Congress consented, the system of contracts, as is the case to this day.

The postal service of the United States was obstructed and embarrassed at the very beginning, by questions as to the conflicting powers of the general and State governments. Some of the States, particularly Maryland and Virginia, had given exclusive privileges to certain companies to drive stages, with passengers, over particular roads. The first Congresses under the Constitution established these roads as mail routes. It was found expedient, by the Post-office department, to put coaches upon them, in which passengers might be carried. This was strenuously resisted by those enjoying the monopolies under State laws enacted prior to the adoption of the Federal Constitution. On the 3d of January, 1792, in the House of Representatives, Mr. Fitz-simons, of Pennsylvania, introduced a motion to "allow the proprietors of stages, employed in conveying the mail,

to carry passengers also, without being liable to molestation or impediment, on any of the post-roads."

A vehement debate immediately arose. It was maintained that the States would never tolerate, nor the parties concerned tamely suffer, an invasion of those rights which they enjoyed under the State laws. On the other hand, it was contended by the supporters of the motion, that a citizen of the United States, travelling through a particular State, had a right to take passage in a stage-wagon, whether the wagon belonged to that State or not.

Elbridge Gerry, of Massachusetts, earnestly supported the motion, declaring that justice to individuals and to the United States rendered it "absolutely necessary for Congress to exercise the power" inherent in it. He conceded that the States had a right at the time to grant such monopolies, but he contended that, in consequence of the adoption of the Constitution, "all such laws are null and void of course." Robert Barnwell, of South Carolina, said "he had no doubt of the constitutionality of the proposition;" but advised that, instead of exercising the power at that time, Congress should declare "that it would exercise it at the expiration of the contracts which at present exist between particular States and individuals."

The House was not prepared to enter into a controversy on the point at that time, and rejected the motion by a vote of 33 to 25. Among those who voted in favor of Mr. Fitzsimons's motion, besides Mr. Gerry, were Nathaniel Macon, of North Carolina, and William Smith, of South Carolina. The State-rights topic was fully

introduced on this occasion, but men had not begun to range themselves in party lines upon it.

Another instance in which State legislation interfered with the operations of the Post-office department may be given.

Colonel Pickering had contracted to have the mail transported between Philadelphia and New York, at a considerable saving to the United States, by conveying it in stage-wagons, fitted to accommodate four passengers. The State of New Jersey had passed an Act "for raising a revenue from certain stages, ferries, and taverns," by which proprietors of lines of stages were taxed four hundred dollars a year, on each line. This tax was demanded from the United States, for the mail stages provided by the Post-office department, under the contract just mentioned. Colonel Pickering, in view of this demand, addressed a communication to Congress, reciting the facts, and speaking as follows:—

"If the sums exacted from the proprietors of the stages were expended in extraordinary reparations of the road, no passengers would complain of paying enhanced prices for safer and easier seats in the stages. But such an appropriation is not even thought of: the avowed design is to increase the revenues of that State; and thus the citizens of the United States have to purchase permission to travel on the highways of New Jersey. At the same time, it is remarkable that the express object of one section of the Act is 'to prevent imposition on travellers.'

"If no relief can be given in the premises, the United States must henceforward pay to New Jersey an annual tribute of four hundred dollars, or any higher sum, if pleased to impose it, for permission to transport the mail through that State in stage wagons. And, from the example of New Jersey, they may ere long become tributary to all the States,

from Virginia to New Hampshire, inclusively ; for so far the mail is carried in stage wagons.

“ The subject of this letter appeared to me of such importance as to merit the attention of the general legislature.”

Office, even then, bedazzled, deluded, and misled its legions. It is surprising to find what multitudes, in all parts of the country, struggled to obtain appointments with salaries too insignificant to be mentioned ; with a strange infatuation, turning away from sure and permanent callings and occupations, honorable because necessary, in the sphere of independent private life, and losing their hold upon them in pursuit of inferior, precarious, poorly paid, and menial, because dependent, places, — clerkships in the departments, and the offices of local deputy postmasters.

Colonel Pickering was at once overwhelmed by such applications from persons of respectable connections and conditions, in all quarters, many of them in such relations to society and to himself as made it most unpleasant not to gratify them. He took infinite pains to discover who were best fitted for the situations they sought, and would be most acceptable to the people : these were his rules and these his tests. No family affinities, or personal intimacy, or private friendship, could prevail over him to depart from or disregard them.

A few instances are selected from the great mass of his manuscripts relating to matters of this kind.

This is the substance of his reply to a letter from a niece, to whom he was fondly attached : —

“ PHILADELPHIA, October 30th, 1791.

“ MY DEAR NIECE,

“ I have just read your letter of the 21st. I know not when my sensibility has been more affected. My heart would

always vibrate to every plaintive sound. Your words are more than plaintive. They breathe an air of melancholy which gives me pain. You plead for your friend in a strain which indicates an apprehension of disappointed hopes, and I frankly confess that the application excites some embarrassment. This, I am sure you will believe, does not arise from any doubt in my mind of the fitness of the person for the object in view. Nor will you imagine that friendship and affection are wanting. Friendship and affection, and those tender relations that gave rise to them, are the obstacles in my way. Of this you manifest a sensibility. Your mother's suggestion, and the manner in which you express your own sentiments, seem to flow from a consciousness of the delicacy of my situation. And do you think that a sense of propriety and duty would shut my ears against the solicitations of my friends ? I hope you do. A selfish spirit I detest. And I am anxious to preserve a character for rectitude and impartiality in the administration of a public office. That character, and not court favor (I am too — proud, if you please, to make my *court* to any man), has again brought me into public life. And, as it will probably be of essential advantage to my family, especially in the education of my children, I rejoice in the change. If it will enable me, at the same time, to serve my friends, with honor to myself and benefit to the public, I shall be doubly happy.

“ Perhaps I need say no more. If the office in question were vacant, there would be little room to hesitate. To make it vacant for the purpose of filling it with a *relation*, it must manifestly appear, not merely that such relation is fit and *deserving*, but that the present incumbent is *unfit* and *undeserving*. The latter I suppose to be the character of Mr. —. But I wish to receive such clear information as will satisfy me that the men of business and of independent characters in — will approve of his dismission. The sooner I receive information, the better. You will know how to conduct the affair with prudence and with candor. Your friend is intelligent, and few have more discernment than your mother and you. Mr. — is judicious, and intimately acquainted at —, ‘ and he has promised to befriend you.’

“ I now cast my eye on the close of your letter. You say you are ‘ sorry to have troubled ’ me thus far. My dear niece ! how could you think of making such an apology ? It throws me to a distance from you, as a stranger ! I have not forgotten you ! I still love you, and all those who are dear to you. No application, no importunity, from you can trouble me ; because I shall know, at the same time, that you do not wish me to do any improper thing ; and that you will believe, if I should ever deny a request of yours, that it will be from a sense of obligations paramount to those of blood and friendship.

“ God bless you and all about you ! ”

A gentleman for whom Colonel Pickering had a high regard, who had for a long time been an inmate of his family, an assistant in his office, and a teacher of his children, being desirous to return to New England, made application to him for the office of Postmaster at Boston. The answer to the application was as follows : —

“ PHILADELPHIA, October 10th, 1791.

“ DEAR SIR,

“ To-day your letter of the 29th ultimo was put into my hands. In respect to appointments to public office, the principle by which the person appointing should be governed seems to be obvious. An office of a general nature, equally affecting all the States in the Union, may be filled by a citizen of the United States. An office which, in its execution, is confined to a single State, ought to be exercised by a citizen of that State. In like manner, an office which especially regards a county or a town should be held by an inhabitant of such county or town, if it afford a person qualified to execute it. This principle has evidently governed the President of the United States in his appointments. 'Tis a principle recognized in the new Constitution of Pennsylvania. 'Tis a principle which, from time immemorial, has governed appointments in the Province and State of Massachusetts ; where, of consequence, a departure from the principle would be peculiarly offensive. In the town of Boston there must be many fit

persons for the office in question, should it become vacant; and I have never entertained an idea of filling it but with one of its *proper inhabitants*. You see, therefore, that I cannot consistently comply with your wishes."

A family at Salem, with which that of Colonel Pickering had long been intimately connected, having espoused the Loyalist side, left the country at the opening of the Revolution; but mostly returned when the war was over. Its head, a person universally respected, and between whom and Colonel Pickering the strongest personal friendship had ever existed, expressed in a letter a desire to be appointed Postmaster at Marblehead. The following was the Colonel's reply:—

"A post-office will be established at Marblehead. You express a desire to take charge of it, if I should think it an object of attention. I cannot think it an object of *your* attention: the compensation must be so small. The office at Salem, which I should suppose much more considerable, yields to the Postmaster but about a hundred dollars a year.

"Candor will not suffer me to stop here. Were the office much more valuable, I should not think it expedient for you to receive it. On account of the 'political sentiments' you refer to, it would subject *me* to *censure*, and *you*, perhaps, to *persecution*. As a *private* man, I should defy reproach for my attachment to an *upright* fellow-citizen, of whatever opinions in politics or religion. As vested with a *public trust*, I think myself bound to discharge it, in this article, by introducing to public beneficial situations honest men *who have claims on the public* for their services in effecting the establishment of a government of which I am an executive officer, or against whom, in this respect, no exception can be taken.

"This frank avowal of my sentiments, though opposed to your interest, I trust you will consider as a fresh proof of my sincerity, while, at the same time, I assure you there is no abatement of the respect and esteem with which I remain, dear Sir, your real friend and humble servant."

Colonel Pickering considered the postal system of the United States, when he took the management of it, as on probation. There were then, as now, some who thought that the transportation of letters and packages might better be left to private enterprise. Great difficulties were experienced in its management. Its chief revenues, much more in their proportion than they now are, were derived from the large cities ; and the mercantile class complained that they were heavily charged in consequence of the expensive and unremunerative mail service through the thinly settled, wide, interior regions of the country. The franking privilege, at the very beginning, weighed down the whole system.

The Postmaster-General applied all his energies and industry to make the burden more equal and lessen the rates of postage. He thought it possible to prevent his department from draining the general Treasury, and to convert it into a source of revenue, contributing towards carrying on the other operations and functions of the government. To this end he was on the alert for information from all quarters, kept in constant communication with the President and Secretary of the Treasury, with committees and members of Congress, and intelligent correspondents. He charged the Deputy Postmasters to transmit to him suggestions, and the results of their experience. He enforced upon all the local offices carefulness and exactness in their accounts, and absolute regularity and promptitude in making their returns to him. He inculcated the strictest economy upon all ; and, knowing that the functions of his department were in more constant contact with the people individually than any other, and that it was especially important to conciliate the

general good-will, he rigidly insisted that every clerk or other official should practise the greatest civility, and uniformly show an obliging spirit to all equally, of every condition, who had occasion to use the mail. The rule he required to be observed by all employed in the reception or delivery of letters and documents was this: The revenue derived from postage was made up of very small sums. Their aggregate provided the pay of the persons employed in the collection. It was the duty, he affirmed, of all of them, severally, to treat every citizen who paid for a single letter with the same courtesy and consideration as though he alone conferred upon them salaries. The instances that have been given show the principles that controlled him in selecting for office and exercising the wide-spread patronage of his department.

While Colonel Pickering was morbidly and nervously opposed to every form of man-worship, he was, through life, eminently susceptible of personal attachments. There were men, and many of them, whom he loved with his whole heart. Among his warmest and strongest friendships, covering a greater duration, perhaps, than any, was that which bound him to Richard Peters. The immense importance of the Board of War during the Revolution has not been, probably cannot be, appreciated. Its counsels guided Congress; the resources it developed kept the arm of the Commander-in-Chief strong. The burden of its great duties was jointly borne by Pickering and Peters. They were its only permanent members, and the work was mostly done by them. The confidence and affection that grew up between them remained deep and immovable until death, in their old age, separated them. The following letter from Colonel Pickering to

President Washington is a memorial of his estimate of the talents and character of his friend. It is dated Philadelphia, January 5th, 1792.

“ SIR,

“ Among the great duties of your high station, the selection of proper characters for public office is not the least difficult, nor the least important. The multiplicity of applications, the diversity and sometimes the contrariety of opinions, must often produce painful embarrassment; while a constant aim to provide for the public service will frequently oblige you to disregard private attachments and the solicitations of those whom it would give you pleasure to oblige. Information, uninfluenced by interest, or undistinguishing friendship, is desirable, but, perhaps, seldom attainable. With a sincerity, however, which it is hoped nothing has ever given room to question, I take the liberty of mentioning the name of Mr. Peters, as of a person who, with great propriety, would fill the office of District Judge of Pennsylvania, vacant by the resignation of Mr. Lewis.

“ I have long and intimately known Mr. Peters. His conceptions are quick, and his comprehension clear. Hence he decides with promptitude, and executes with facility, where many others must inquire and apply with laborious attention. These talents must ever be of singular utility to a Judge, who, in almost every cause, is obliged instantly to determine a variety of subordinate questions.

“ Having in early life studied the rudiments of law, and attended courts, I beg your permission to notice an observation I then made: that, although a professional knowledge of the law was useful to a Judge, yet it was not to be put in competition with *talents*, accompanied with a knowledge of the *language* of the law and of its *general principles*. But Mr. Peters studied the law for his profession, and, although he early left the practice, yet the language and principles of the law are familiar to him. The application of those principles to particular cases it will be easy for him to recall and extend. His practical knowledge of law happens particularly to apply to

the business of a District Judge of Pennsylvania, which consists chiefly of *admiralty causes*. Mr. Peters was for many years Register of the Court of Admiralty; and, at the commencement of the Revolution, renounced that employment under the King, to engage in the service of his country.

“ It is too well known for me to remark that, during several years past, he has presided in the legislature of Pennsylvania with punctual and patient attention, ability, and dignity. This fact affords a very satisfactory proof with what propriety, as a Judge, he would conduct the business of a court of justice. Important and intricate cases will sometimes occur; but these, according to the constant usage of courts, will be adjourned, to give time for research and inquiry. Such research and inquiry he will be equally able and disposed to make. And if books fail of satisfying a discerning mind, he will have access to the living depositories of the law in this city, of whom some of the most eminent are his intimate acquaintances.

“ To the qualifications already mentioned, I should be unjust to Mr. Peters, if I did not add, as peculiarly pertinent to the present occasion, that, in his whole conduct, during my long acquaintance with him, he has ever manifested a *strict impartiality* and *perfect integrity*.

“ Honored and pleased with the invariable friendship of such a fellow-laborer, I should indeed be gratified by his appointment; but I do not know myself, if friendship, or any other motive, could induce me to make an unfounded representation. I should have been silent, if I did not firmly believe that, by a diligent, able, and upright administration of justice, Mr. Peters would fulfil your wishes and the public expectation.

“ I trust, Sir, you will pardon this representation from me, as it claims no other attention, than as the testimony of a witness, whose character and means of information entitle him to some degree of weight.”

It is pleasant to find evidence, as in the following correspondence, that some persons have reached that true

manliness of spirit that is not ashamed frankly to acknowledge, or reluctant fully to forgive, a wrong.

“To COLONEL PICKERING.

“DEAR SIR,

“Interest is generally the cause of best friends falling out. I have experienced it often, but, although it may have been attended with heavy losses, none was ever equal, to my feelings, to that of your esteem and friendship, which I always valued above any pecuniary considerations. The strait I was in at that time, together with the misunderstanding which took place between you and me, occasioned in a great measure my obstinacy in an affair, which I am glad is terminated. It still remains for me to obtain of you, dear Sir, to overlook what passed on the occasion, and your leave to wait on you, and assure you of the sincere and respectful attachment with which I never ceased to be, dear Sir, your most humble and obedient servant.”

Colonel Pickering replied as follows:—

“SIR,

“I have this moment received your letter. Whatever imperfections or faults are in my character, I trust that implacability forms no part of it. As a *man* it would do me *honor*, as a *Christian* it is my indispensable *duty*, to forgive those who offend me; and from one who so respectfully solicits a reconciliation, I should be inexcusable to withhold it.

“My doors will open at your call; but, after the satisfactory apologies in your letter, I shall beg to hear no more of what is passed. Yours, &c.

“TIMOTHY PICKERING.

“MR. JOSEPH BALDESQUI.”

The want of religious institutions, and of the establishment of a regular ministry at Wyoming, had been regarded as one of the greatest disadvantages and evils to which he and his family had been subjected. But the instability of things in that settlement, the variety and diversity in the population, and the contentions in which

they were involved, had prevented the organization of a church. Some leading persons feeling with Colonel Pickering, that such a condition ought no longer to continue, took measures to provide preaching. Application was made to Cambridge, probably at the suggestion of Mr. Bowman, who had been educated there, and took a very active part in the business. The result was as follows : —

“ BOSTON, October 29th, 1791.

“ DEAR AND HONORED SIR,

“ Mr. Nathaniel Thayer, a most excellent young man, will hand you this letter. He is a candidate for the ministry ; and will commence a preacher in the town where you have lately resided. In college he supported an amiable character ; and, since he received its honors, he has steadily applied to the subject of theology. He is now a *rational Christian*, and, consequently, will not prove an *irrational preacher*. I infer this from his known integrity.

“ Your attention to him he will esteem an honor ; and it will be remembered as a favor by your very affectionate,

“ J. CLARKE.”

“ PHILADELPHIA, November 8th, 1791.

“ MY DEAR BECKEY,

Mr. Bowman called upon me to-day, bringing with him an agreeable young man, who is going to Wyoming to commence a preacher. Mr. Wingate has known him, and gives him a good character. Mr. Clarke’s warm recommendation you will see in the enclosed letter. These testimonials of Mr. Thayer’s worth will be sufficient to induce you to embrace every opportunity of contributing to make his residence agreeable to him. He appears to be sensible, and is very sociable. This addition to the little company of the place will, I hope, make a long winter pass off more agreeably. I do not know where he will find room to lodge with any comfort, or to study with any quiet. I wish my house would accommodate him. I do not know that it can. Consult your own comfort, in preference to any other considerations.

“ God preserve you ! “ T. PICKERING.”

“PHILADELPHIA, November 28th, 1791.

“Rev. JOHN CLARKE.

“DEAR SIR,

“Mr. Thayer handed me your letter of introduction. I was pleased with him. I am glad he is gone to Wyoming. *There is abundant room to do good.* I wish the prospect of advantage to *him* were better than it is. I hope, however, that he will content himself there, at least, till the spring, when my family will remove. There is at my house, an ingenious young man, Mr. Bradley, of some reading, and having a taste for literature. The ensuing winter he will school mine, and some of the neighbors,’ children. In him Mr. Thayer will find an agreeable companion. Mr. Bowman, who accompanied Mr. Thayer to this city, will be in the small circle there of conversable men. He was educated at Cambridge, and has uniformly exhibited the marks of an honest man.

“T. PICKERING.”

In compliance with her husband’s suggestion, Mrs. Pickering took Mr. Thayer at once into her house, of which he remained an inmate for nearly six weeks, when the approaching removal of the family to Philadelphia, made it necessary for him to get lodgings in the neighborhood; but the affectionate intimacy was continued by his almost daily visits. Mrs. Pickering, in writing to her husband, frequently expresses the pleasure derived by the family from his company. “Mr. Thayer has been with us ever since his arrival. I am much pleased with him. He answers the character you have given of him.” “He is so amiable and agreeable that his company is always acceptable.” Writing April 20th, she says, “to-day completed Mr. Thayer’s engagement. He wishes to give the people two sermons before he leaves the place.” On the 29th “Mr. Thayer will set out to-morrow morning, and expects to see you in three days.” He seems to have proposed to have travelled to

New England on the saddle, and rode one of Colonel Pickering's horses to Philadelphia. His compensation was provided for by a subscription. He had a chamber set apart for his use, with a fire in it. At the lowest charge for board and lodging, it would have amounted to much more than Colonel Pickering's subscription, but Mrs. Pickering would not take the balance ; concluding that her husband would have done the same had he been present. He wrote to her May 3d, informing her that Mr. Thayer reached Philadelphia the evening before, and saying, "I approve of the contribution to Mr. Thayer's support ; and, if it had been more, you can easily imagine I should not have been displeased. In cases of this kind, you have a good criterion by which to judge, — the feelings of your own heart."*

Not being able to be with his family in the winter of

* Nathaniel Thayer, D.D., was a native of Hampton, N. H., and graduate of Harvard College, class of 1789. In 1793 he was settled at Lancaster, Mass., and continued in the ministry there until his death in 1840. He was one of the most distinguished and venerated ministers of his day. His ability, wisdom, urbanity, and dignity of deportment, and Christian excellence, kept that fine large town united in one congregation long after most others had been divided and broken up by sectarianism and contention. He was ever held in honor by the clergy and the people in all the country round ; presiding at ecclesiastical councils, and called to preach occasional discourses, of which a large number are in print.

His sons have been useful and eminent persons. John Eliot, early engaging in business at Boston as a broker and banker, by his financial ability and sound judgment, accumulated a fortune.

Christopher Toppan, H. C., 1824, after a long, honored, and acceptable ministry over the First Parish in Beverly, withdrew from the pulpit, and is a worthy and esteemed citizen of Boston.

Nathaniel, growing up in his brother's counting-room, and becoming a partner in his great financial business, succeeded to it. He is worthy of his wealth, responding generously to all public calls, and contributing by friendly offices to the prosperity of individuals. He is a Fellow of Harvard College, and a most munificent benefactor of that institution. Besides other liberal gifts, he has erected at his own charge one of the most spacious buildings on the college grounds. This elegant and costly structure was designed by him as a memorial of his reverend father, who, besides having been a graduate, was in early life an instructor in the college. It is therefore called THAYER HALL.

1791 and 1792, when his wife was left in charge of the household and farm, as usual by frequent and long letters he endeavored to lighten her cares, and relieve her, as far as possible, of doubt and embarrassment, by the most minute and comprehensive directions and suggestions. These letters breathe throughout the same conjugal affection that made them so eminently happy in each other, during a married life of more than fifty-two years. Extracts from them best tell the story of his life, and paint the features of his character. Having met an old acquaintance from Massachusetts, then visiting Philadelphia, and mentioning that time had much altered her appearance, he uses this complimentary language to his wife:—

“ You are the mother of eight children, and often talk of your growing old; but, whenever I make comparisons of faces, they are always in your favor. Mr. Wingate tells me he saw you three years ago at Salem, and that *you looked as young as when you were first married*. All that I fear is, that I shall not be able to keep pace with you, in *growing young*. To be serious, God grant we may both continue to enjoy perfect health, and live to support and educate our children. Their reputation and prosperity will make the most desirable and most valuable addition to that happiness which results from inviolable friendship and love.”

But no language, expressive of admiration for her person, can possibly be so complimentary as the substance and pervading tone of his letters, demonstrating the confidence he had in her judgment, and his high appreciation of the character of her mind. He writes to her on all topics, not only of domestic and private concern, but of general interest; relating to sentiments and principles, questions in morals or religion, public

events and political transactions, precisely as he would talk with an equal and among the eminent persons with whom he was conversant. The extracts from them, while they carry along the history of family and personal affairs, touch, it will be seen, in some instances, on important subjects : —

“PHILADELPHIA, October 14th, 1791.

“MY DEAR BECKEY,

“I arrived here last Friday afternoon, and about the same time my cousin* John Gardner came into town, directly from Salem. Except brother Sargeant (who is since dead), he left all our friends very well. My brother has remarkably recovered. A day or two after arrived Captain Henry Williams (George’s brother), and delivered a letter from my brother, enclosing one from John Pickering. The latter I enclose because I know you will be much pleased with his great improvements. The handwriting is like that of a man of business, and the language and style correct and masterly. I have written to him, expressing some doubt whether it is wholly his own, and desiring his candid answer. My brother writes thus concerning him : ‘The temper and disposition of John Pickering render him very agreeable to his relations ; and his acquirements in learning have distinguished him among his schoolmates.’ If you know my brother, you will readily believe that John merits a warmer eulogium, or he would not have written even so much.”

“October 18th, 1791. You say nothing particularly about *yourself*. Do you grow stronger and heartier ? Pray, in your next, let me know precisely ; and whether there be any thing you would wish for, either diet or drink. I had thought of sending you a barrel of porter ; or, perhaps, half a barrel, together with as much bottled porter as would fill a barrel ; then, when the bottles should be emptied, those, with the bottles on hand, would enable you to bottle what should be

* The old use of “cousin” in a very comprehensive sense, was still prevalent. It often meant, as in this instance, “nephew.”

sent in bulk. Let me know your wishes in all things ; and every thing in my power to obtain shall be sent you.

“ Though 'tis but a fortnight since I left home, it seems like an age. I know not how my patience will hold till the spring without my family. Yet every consideration of interest and prudence requires it. Should Congress, early in the session, agree in passing a law to regulate the Post-office, I hope to be able to spend with you the cold month of January, or good part of it.”

“ November 5th. Many gentlemen of my old acquaintances are in Congress, with whom I expect to spend much of my time agreeably. I have moved from Mrs. Hastings's to Doctor Smith's, where Mr. Sherman and brother Wingate are boarding.”

It will be remembered that Colonel Pickering declined the office of Quartermaster of the Western Army. His friend Major Hodgdon obtained the appointment, and in that capacity shared in St. Clair's disastrous campaign. Writing to his wife, December 8th, 1791, Colonel Pickering says : —

“ This afternoon accounts received, which are believed, that General St. Clair's army has been defeated by the Indians. The action happened November 4th, within fifteen miles of the Miami towns. Six hundred of our men killed and wounded. General Butler and many officers among the slain. General St. Clair had several bullet-holes through his clothes. Seven pieces of cannon, all the tents and stores, fell into the Indians' hands. General St. Clair retreated in good order thirty miles, and brought up the wounded to Fort Jefferson, thirty miles from the field of battle. This fort he built as he advanced, and is about seventy-five miles from Fort Washington on the Ohio. It would seem that there were two other forts which he built between Fort Washington and Fort Jefferson. The accounts received are not official ; but, probably, are substantially true. I called soon after I heard the news to recite it to Mrs. Hodgdon, and, as the Major's name is not mentioned, we conclude he is safe.

But St. Clair, at Fort Jefferson, was pinched for provisions ; and I am afraid of his suffering or falling before relief can arrive from Kentucky, where they were mustering with spirit."

" December 19th. Official accounts certify the defeat of our army ; half lost, probably a thousand men. Hodgdon was not in the action. No account of Fort Jefferson ; but St. Clair retreated with the main body of the remains of the army to Fort Washington, on the Ohio, a secure place ; leaving a garrison at Fort Jefferson with the wounded, — a most sorrowful campaign ! The Indians will be less than ever inclined to peace."

" December 20th. I have just been reading (by candle-light) the enclosed pamphlet, given me by Friends Pemberton and Parrish. The *Friends* have been sending the book round, so as to furnish every member of Congress and officer of government with it. It is a very just *remembrancer* ; and, if the facts and observations contained in it had been duly attended to, we might have escaped a deplorable Indian war."

" January 7th, 1792. There is much murmuring on account of the manner in which the western war has been planned and conducted. Ill success will generally excite clamor. It is clear the calculations, as well in respect to the strength of the enemy as the quality of our troops, have been erroneous. Hardy woodsmen, acquainted with rifles, are alone competent to such a warfare. This is *now* seen by everybody ; for, *after* an event, everybody is wonderfully wise. But if the kind of army we employed was so decidedly, so obviously unfit for *such* a warfare, why did experienced officers, acquainted with the Indian mode of fighting, engage in the expedition ? Such, among others, was the brave General Butler. He had known Indians, and the very Indians whom he fought, from his youth ! The truth is, the army as it was *proposed* to be constituted (for it was not by any means complete), it was thought, would be so formidable that the Indians would not dare to stand in its way. For my own part, I, from the beginning, regretted the *commencement* of the war, as a thing not of *inevitable* necessity. But perhaps I am mistaken. Overtures for a friendly adjustment of differences were made, but without success. So much I

know from a speech made by the President to the Corn-planter last winter. *How*, or by *whom* the overtures were made, I am not informed."

"January 27th. General St. Clair came to town last Saturday.

"April 16th, 1792. St. Clair has resigned ; and General Wayne is appointed his successor."

Perhaps the foregoing passages present, in as lively and interesting a manner as can elsewhere be found, an account of the impression made at the time by the defeat of the Western Army. Some further extracts will now be presented of another character, giving family incidents and miscellaneous reflections.

Writing to his wife, December 28th, 1791, Colonel Pickering says : —

"Samuel Williams (my nephew) is here. He lately left all our eastern friends very well.

"I have proposed to Sam this plan of getting a visit from John Pickering. That next July I should go to the eastward and bring back with me John and Frank Williams, who is to enter college in that month with John ; and that, after the two boys have been with us about a month, brother Williams should come and take them back to Salem. Brother Williams, you know, was to have made us a visit the last summer. I foresee one objection : that soon after I bring you to town I shall run away and leave you. But the reason of the plan is this. Next July, John and Frank are to enter college. After their entry there will be a vacation of five or six weeks. This will be a time of perfect leisure to the boys, and not interfere with their studies previous to their entering college. But you will say this is anticipating a measure *long* beforehand. True ; but you have *long* wished me to take a journey eastward, and the mention of Sam Williams led me to disclose the thought of a mode of accomplishing it."

"January 7th, 1792. I continue to enjoy perfect health, as well as you and the children. Health is the greatest earthly blessing. It affords present enjoyment and promises

a continuance of life. Sound constitutions, properly attended to, can ordinarily fail only from old age. And old age itself, with a sound constitution, is not unpleasant: I look forward with hope to a distant period, when you and I may see our children, and children's children, happy in the enjoyment of all the good things of this life with which happiness is inseparably connected, and when our presence will constitute no small share of it. From their early indications, we may form well-grounded hopes that our children will be such as we would wish them to be: if we do our duty towards them. And I assure myself that, in this respect, we shall feel no regret, except that our sphere of duty may be less extensive than our wishes; because our *means* of benefiting them may be limited by narrow bounds. But, if we possess not *wealth*, I trust in God that we shall have *competence*, and, with competence, *peace* of mind; and, with the addition of *health*, every requisite to human happiness. For this remark I am indebted to Pope: —

‘Reason’s whole pleasure,—all the joys of sense,
Lie in three words, health, peace, and competence.’

“January 27th, 1792. *Afflictions* are sometimes *mercies*. Mrs. —— has lost her husband, the Doctor. This loss will be her gain. The fruits of her industry will now go wholly to the support of herself and children. For a good while past he has been far from supporting himself. Unhappy man! Unfortunate woman! When first united, no couple had fairer prospects. She possessed of a decent property, and he of talents that were raising him to be at the head of his profession. Learned, sensible, remarkable in his discernment and sound judgment, pleasant, good-natured, and sociable, as a companion,—to the regret of all who knew him; to the lasting injury of four clever children, who had a right to expect from him support and education; to the deep affliction of a valuable and affectionate wife, he has for years been sinking, and has now fallen a victim to one single vice, and only at the age of thirty-five! Last Tuesday he came home from his usual haunt, as we sat at dinner, between three and four in the afternoon. Went to bed sick in the evening, and died yesterday morning before ten. I was called up just in time to see

him expire. He expired without a struggle or a groan. His strength was *consumed*. He had been long tottering as he walked. As his usefulness had been a good while at an end, and his reformation given up as hopeless, it is a mercy to his wife and children that he is removed. A melancholy issue of eminent talents and learning! Under such circumstances, we might expect that conjugal affection would be greatly abated; yet the final stroke was sudden, and his wife was in extreme grief. She is better, and well composed to-day. Yesterday she was *oppressed* by the kindness of her *friends*, who came in crowds to condole with her. Nothing could have been more injudicious. When Job's friends came to visit him, they sat down on the ground with him, and *opened not their mouths for seven days*, because they saw that his grief was great!

“This morning the newspaper announced the death of poor — in this city. I saw him a few days since in the street. He also has fallen a victim to *rum*.

“I believe I have not told you of the resignation of Mr. Lewis, and the appointment of Mr. Peters to be District Judge of Pennsylvania. The salary 1,600 dollars, which, with his other incomes, will enable him to live with his usual hospitality in the city.”

“February 3d, 1792. Mrs. — was much more affected by the Doctor's death than I had expected, the peculiar circumstances considered; but she has now become easy; attends to her household, which occupies her mind, and acknowledges that her loss is real gain. You cannot form an idea that a man could ever so totally abandon all concern for a wife and children. But she had loved him tenderly, and neglect and *unkindness* had not weaned her affections. Before and since his death I rendered her some little services, of which indeed I thought very little and never mentioned them; but she was overwhelmed with gratitude, and told them to all her intimate friends, from whom I have heard of her grateful feelings. You will not wonder that I should help her in distress. Your liberal and benevolent heart will accord with mine, in feelings which prompt a wish that we possessed the *means* of doing good more extensively.”

“ April 16th, 1792. — You probably may have heard of the failure of Colonel Duer, of New York. His fall has thrown down multitudes. New York is in an uproar ; and all business at a stand. Walter Livingston, Mr. Macomb, and a great number of others were connected with Duer, and have fallen with him. They were debtors to Colonel Platt, and now he also is fallen, fallen from wealth and the splendor of a coach and four (as I am told) to nothing. He is to be regretted. Because, though his fortune had risen in a few years from nothing ; yet he has sustained a fair character, and used his wealth liberally. Failures are beginning in this city. There is one, however, who will not fail. To me you may repeat the Poet’s words, — ‘ So safely low, my friend, thou canst not fall.’

The following letters between Colonel Pickering and his brother continue the family history : —

“ SALEM, September 21st, 1791.

“ DEAR BROTHER,

“ I received your letter which gave our family information of your being appointed to the office of Postmaster-General. The county of Essex have again this present year chosen me to the office of Register of Deeds, for another five years. When I first had the office I kept an account of the deeds received, out of curiosity. Of late years I have been obliged to keep an account, because a duty (one shilling) is collected for each deed, and paid by the Register to the Collector of Excise. I find the number of deeds, and other instruments recorded, have been, at the close of the last year, after the rate of nine hundred and twenty-nine, each year, since I have been Register.

“ Brother Sargeant is very sick, and has been for several months past. The jaundice with a general indisposition of body, have been his complaints. He is now so near leaving this world, that we should not be surprised if a messenger should arrive at Salem from Haverhill to give us the disagreeable notice this day. Our friends at Salem are all well. I think I have been better the last year than for several years before. I have found myself stronger, and more able to work

without being unduly affected. I have desired my nephew, John Pickering, to write to his father, but he answers, he does not know what to write about. I thought, last year, of sending him to college the present year; but it was his choice to defer going till next commencement. I find his cousin, Francis Williams, is to go then, which is the reason, I suppose, which induced him principally to postpone his entering college. I think from his knowledge in classical learning, he is now fit for admittance, but I think his age will suit better next year. The family in general desire on my writing to you to testify their love and regard for you and your family, and I remain your brother,

“ JOHN PICKERING.

“ P. S. I think the votes collected for Register this year were 1212. I had 1211.”

“ PHILADELPHIA, October 10th, 1791.

“ DEAR BROTHER,

“ Last Friday I returned hither from Wyoming; and at the same time arrived John Gardner, and made me happy by the information of the general health of my friends, and especially of your recovery to a remarkable degree of health and strength. Last winter Mr. Sargeant wrote me of his infirmity, and that his recovery was hopeless. A useful, worthy, and amiable man, the prolongation of his life would have been desirable.

“ The office to which you have recently been rechosen, being profitable and agreeable, it gives me pleasure that you have it; and the greater pleasure to see that you have it by the unanimous suffrage of your fellow-citizens.

“ I am glad that you postponed sending my son to college till the next year. He will then be of the age which I have, during many years, contemplated as the fittest to commence an academic education. Your care of him will for ever command my gratitude. I thank my friends for their kind remembrance of me. My affection and good wishes attend you all. Farewell!

T. PICKERING.”

He concludes a letter to his bereaved sister, Mrs. Sargeant, thus: —

“ When I reflect on the separations of friends, my mind is solemnly affected. Religion alone dispels the gloom by its bright prospects beyond the grave. This consolation must be yours. Affectionately farewell.”

An expensive and, thus far, disastrous war with the Indians of the North-west made it of extreme importance to preserve peace with the tribes in New York. This had been the object of Colonel Pickering’s two missions to the Five, or as they originally were, and continued to be called, Six Nations, and of the treaties he had concluded with them. He was now to be engaged in negotiating a third treaty with the same Indians; the circumstances attending which, will best be described in passages from his correspondence at the time.

The Reverend Samuel Kirkland had rendered great services to the United States by keeping the Oneida tribe in a friendly attitude during the Revolution, and by a wide beneficent influence over the Indians generally, among whom he dispensed instruction, as a Christian apostle, through the chief part of his life. His celebrated son, the eminent President of Harvard College, was the classmate at that institution, and intimate friend, of Mr. Thayer. Their meeting at Wyoming must have been particularly agreeable, from this circumstance, to both parties.

On the 20th of December, 1791, Colonel Pickering wrote to his wife: —

“ It appeared to me highly expedient that a few of the chiefs of the Six Nations should come to Philadelphia, as early as possible, agreeably to my invitation at the last treaty, and that for this purpose I should renew my invitation. General Knox and the President have approved of the measure, and I have written a message accordingly. I expect it will be delivered and interpreted to the Indians by the Rev. Mr. Kirk-

land (missionary among the Oneidas), who will come down with them ; probably by the way of Wyoming, where, I trust, they will be treated as friends. I have requested Mr. Kirkland to take them to see you and the children. They will know, and be glad to see Tim again. I wish you to entertain them with a breakfast or dinner, with all possible hospitality. They will, doubtless, make their quarters at Mr. Fell's. Remember that they are *great eaters*, so provide *enough*.

“ Should the chiefs come down (of which I cannot doubt), I must necessarily be here during their stay. They will probably come down in January. The great object I proposed for their coming is to arrange with them the means of introducing among them husbandry and other useful arts, so to convince them of the real friendship of the United States, to do them good, and keep them at peace. These are objects of magnitude ; and if effected, I shall, during my life, reflect with pleasure on my agency in the business.”

Mrs. Pickering, on the 6th of March, 1792, in a letter to her husband says : —

“ Yesterday afternoon Mr. Kirkland arrived here with a number of Indians, upwards of fifty, as I have been informed. Mr. Thayer accompanied Mr. Kirkland to see me soon after his arrival, who, with French Peter, drank tea here, as did Mr. Thayer and Mr. Bowman. Mr. Kirkland proposed calling this morning to take Tim to see his old acquaintances. He has not been here since. I understand they will proceed on their journey early to-morrow morning. We got breakfast for good Peter, and one more this morning, at Mr. Kirkland's request. The number being so much greater than was expected, and Mr. Kirkland not calling again to-day, I did not invite any of them here. The Oneidas have the use of the office during their stay, and cook at our kitchen fire. Tim went to the court-house, where part of them keep, and it was not possible to get in to see them, from the crowd of people.”

Writing from Philadelphia, March 16th, Colonel Pickering informs his wife : —

“ The Indians arrived here last Wednesday, the 14th, and

our meeting was cordial and agreeable. I expect they will consume much of my time."

From the circumstance that they had come to Philadelphia on his invitation, and as he had become personally acquainted with them in his previous missions, he expected to be much with them, but the negotiations belonged to the province of the Secretary of War. The following letter from him to the President explains itself: —

"PHILADELPHIA, Wednesday evening, March 21st, 1792.

"SIR,

"The manner in which I have been employed to effect the present visit of the chiefs of the Five Nations renders me peculiarly interested that the negotiation with them should conform with the direct object of the invitation. This object is indelibly impressed on my mind; it having been the main argument offered by me to convince them of the real friendship of the United States. I feel interested in its accomplishment, *because it involves the good faith of the United States.* For, agreeably to my instructions, 'I informed them how desirous you were that the Indians should have imparted to them the blessings of husbandry and the arts,' and I repeated to them your words 'that the United States will be true and faithful to their engagements.'

"Having assured them of the assistance of the United States to introduce among them the knowledge of husbandry, and a few other important arts connected with it, I invited a small number of the principal chiefs to come to Philadelphia, after the last corn harvest, to negotiate the plan for their introduction. The visit, too, independently of its principal object, might make useful impressions. They delayed coming. The destructive defeat of our army took place. This sad event might *prevent* their coming. Good policy dictated a fresh invitation; and, that it might not seem to flow from fear or discouragement, I thought the renewal of the invitation should appear to proceed wholly from me. The idea was liked by General Knox. I wrote a message to be sent by Mr.

Kirkland, and, as I recollect, the General informed me that it was approved by you.

“ In the message I reminded them of my former invitation to come to the *great Council Fire of the United States*, in order to fix the time and manner of introducing among them the knowledge of farming, of smith’s and carpenter’s work, of spinning and weaving, and of reading and writing,—these being the arts I had before expressly mentioned.

“ I added, ‘ that I was impatient for their arrival, that they might receive strong proofs that the words I spoke to them were true; that they came from my heart; and that the United States are faithful to their engagements.’

“ The invitation was confined to *this single object*. Permit me, therefore, to express my opinion; that, until the entire arrangement relative to it be formed to their full satisfaction, no other object should be brought into view. But this being adjusted, with such strong proofs before them of the candor, the truth, the justice, and the liberality of the United States, they will be convinced that we are *really their friends*, and thus they may be led to entertain a belief that we are heartily disposed to be *the friends* of the *other tribes*, now in arms against us; and, impressed with this belief, they may listen to overtures to become mediators between us. But if the latter be proposed in the first instance, the natural order of things will be reversed, and, I fear, every object of their visit defeated.

“ If the Secretary of War had asked me a single question on the subject, I should freely have suggested to him these ideas. This evening I chanced to hear that he (doubtless not adverting to the terms of the invitation) is preparing a speech, to be delivered to-morrow, in which the disposition of the Five Nations to become mediators is to be sounded. I have, therefore, thought it *my duty*, without loss of time, to submit them to your consideration. I have no desire to appear in the matter, having nothing in view but to prevent a *serious mischief*.

“ There is an additional reason for the caution here suggested, which I beg leave to mention.

Last Thursday, when the Indians gave me their formal answers to my invitation, they stated many causes of their delay. Among other things they told me that Brant had

been the means of detaining them. Brant (said they), who knows as much as white people know, told us that the real design of the invitation was not on the paper—but behind it! That is, the *avowed object* of the invitation was merely *ostensible*; while the *real object* was *kept out of sight*.

“There is another reason which I ought not to conceal. Indians have been so often deceived by white people, that *white man* is, among many of them, but another name for *liar*. Really, Sir, I am unwilling to be subjected to this infamy. I confess I am not indifferent to a good name, even among Indians. Besides they viewed, and expressly considered *me* as *your representative*, and my promises, as the promises of ‘The Town Destroyer.’ Sir, for your honor, and the honor and interests of the United States, I wish them to know that *there are some white men who are incapable of deceiving*.

“I acknowledge, Sir, that my feelings have been excited; and, if I have expressed myself in a style unusual in addressing you, I trust you will ascribe it to the true cause,—the interesting situation in which I stand.

“With great respect, I am, Sir, your most humble and obedient servant,

“TIMOTHY PICKERING.

“TO THE PRESIDENT OF THE UNITED STATES.”

The manly frankness and just views of this communication were fully and at once appreciated by Washington and Knox, as appears in the following from a letter, written the next evening by Colonel Pickering to his wife:—

“March 22d. The Indians have been here eight days, and no business done or entered upon. Some delay has been occasioned by the tailors being set to work to make every one of them a suit of clothes in the American uniform. Another delay by the death of French Peter. He was taken with a pleurisy on his way; was very sick on his arrival; and on Monday night he died. Yesterday his body was interred in the Arch Street burying-ground, amidst an innumerable mul-

titude of spectators, perhaps one-third of the grown people in the city. He was buried with military honors.

“ To-day I was requested by General Knox to join him in conducting the negotiations with the Indians. To-morrow the President is to address them, and refer them to us in every matter which they shall wish to have considered. Mr. Kirkland informed me that the joining me in the commission gave a very sensible pleasure to the chiefs. How it happened, it would take too long particularly to explain by letter. I did not seek it. I did not desire it. It will give me not a little labor and trouble. But things were going into an improper train. This, from a *sense of duty*, I communicated in a pointed letter to the President; this morning the letter was sent to the Secretary at War, and the request above mentioned soon followed. I yielded to the request because I felt my own character, as well as the public welfare, involved in the business to be negotiated. I had made certain promises (in behalf of the United States) to the Indians, and I was anxious to see them fulfilled. I now hope that a fair experiment to civilize them will be made.

“ March 29th. The Indians find so many amusements and invitations that little business has yet been done; and the affairs of the Post-office just now so engross my attention that I am with them very little.

“ April 12th. I fear your patience will be exhausted. I cannot even now fix precisely the time of my departure for Wyoming. Though I hope it will be at least in a fortnight from this; indeed, I am confident it cannot exceed a fortnight. I have got through one pressing business in the Post-office; but now am in the midst of negotiations with the Indians; and, as soon as I have done with them, I must take up one other matter in the Post-office.

“ P. S. Mr. Thayer’s time will be ended the 20th of this month. Horses are too dear here; so I shall not buy one for him. I have desired him to ride down one of my horses. I hope he will; for it will suit me exactly. I will get ready to start in a day or two after he arrives here,—as soon as the horse is rested a little.

“ May 5th. I *hope* to set off next Wednesday morning. I

thought to have done with the Indians the beginning of this week, but I did not finish till this day."

The following statement, made to Colonel Hamilton, at the time, shows the amount of labor in negotiating with, and taking charge of, this Indian delegation. The duty, strictly speaking, belonged to the Secretary of War; but, as Colonel Pickering had before made treaties with the tribes they represented, and had secured their confidence in a high degree, both the President and General Knox knew that he could best manage the business, and left it wholly in his hands. As he was in the midst of preparations to bring his family from Wyoming, and to provide for their reception at their new home in Philadelphia, and also at the moment under a special pressure of duty in his department, this additional burden seems to have been sensibly felt. "I was never," he said, "more confined by business in my life." The charge of the chiefs and their retinue interfered with all his plans, postponing the removal of his family, while the lease of the house he had taken for them was running on, and deranging the settlement of his affairs in Wilkes-barre. But he reconciled himself to these disappointments and annoyances, by the thought that he was serving a great public cause, in using his influence over the Indians for their benefit and that of the United States. He had become deeply interested in the civilization of the aboriginal races, and believed that, under a wise policy, it might be effected: —

"PHILADELPHIA, May 8th, 1792.

"DEAR SIR,

"The Indians of the Five Nations, who lately visited Philadelphia, received their invitation from me, in the manner described in the enclosed copy of a letter to the President.

Mr. Kirkland, the bearer of my message, received his instructions from the Secretary of War, to whom he, from time to time, transmitted information of his proceedings. Of this I was ignorant until after the arrival of the Indians, when Mr. Kirkland referred to them, as matters well known to me, but of which not a syllable had been communicated to me; nor did I know they were coming till they had arrived at Nazareth. This I heard from a Moravian of that place. The same day, as I was passing up Chestnut Street, the Secretary of War crossed over and told me the Indians were at Bethlehem, and said, 'I believe I must get you to negotiate with them. Do think of it.' I heard no more of them until one of his clerks came and told me they were arrived, and that the Secretary of War wished me to see them immediately. I walked up to bid them welcome. The next day, March 15th, they delivered their formal speeches in answer to my invitation. On the 16th, I replied; and, at the close of my speech, used these words:—

“‘Brothers: I have now finished what I had to do. In behalf of the United States, I invited you to their great council fire, to settle the plan of introducing among you the knowledge of husbandry and a few of the most useful arts. We have taken each other by the hand, and spoken together as friends and brothers. All further proceedings on the subject will be conducted in such manner as the Great Chief of the United States shall direct.’

“I heard no more from the Secretary of War on the business of negotiation, until the 22d of March, the morning after I had sent the letter, before-mentioned, to the President, when a clerk from the War-office came with the compliments of the Secretary, who desired to see me. From the style of my letter, and an explicit declaration, that *I did not wish to appear in the matter*, I thought the President would have put my letter in his pocket, though I did expect it would occasion a material alteration in the intended speech. But when I arrived, I found my letter on the Secretary’s table. He took it up, and said *my sentiments were very just*. He then showed me the speech, with the most exceptionable parts crossed out; and, after some other alterations had been proposed and

agreed to, and he had got to the close of the speech, he asked me if I would permit him to introduce my name with his own, that I might assist in the negotiations with the Indians. I consented ; and expressed my reason : that, having suggested to the Indians ideas of civilization, I felt a solicitude to see a plan formed for the purpose, and a fair experiment made to carry it into effect ; and that I would, therefore, give what assistance I could. You heard the speech in which the President named me, with the Secretary of War, as the persons with whom the Indians were to negotiate. I suppose it is well known that almost the whole burthen of the business has fallen upon me ; and really it has been very burthensome. All the proceedings, *in writing*, would fill a considerable volume. But besides *formal speeches*, a multitude of *conversations* were inevitable. The Indian speeches were taken in haste, from the mouths of the interpreters, and were legible only to myself ; and needing corrections, too, I was obliged to transcribe them with my own hand. To give you an exact idea of my labor, I must go into a still more tedious detail ; but I will only add that the business has engaged my close attention for more than thirty entire days. I frequently wrote at night, and even Sundays seldom gave me any rest.

“ You see the conclusion ; am I entitled to any compensation ? I have not said a word about it to the Secretary of War, and he also has been silent. Yet he knows that he did not negotiate with the Creeks for *nothing*, although the business pertained to his department.

“ More than one reason will occur why I give *you* the trouble of this communication. Suffer me to submit the matter entirely to your judgment. If you think something should be allowed me, you will have the goodness to put the matter in train. The question I should wish you and the Secretary of War to determine. I think you know that I am not mercenary nor extravagant. If it should be thought proper not to make any allowance, I shall acquiesce. In that case, I would thank you to return this letter, as I have taken no copy of it: I may keep it as a memorandum of facts.”

As the foregoing letter was not returned, the original not appearing among the Pickering papers, and as it was so clear a case in itself, it may be assumed that suitable compensation was allowed on the moderate scale of that day, and included in the incidental expenditures of the War Department connected with Indian affairs. The document, as above given, is found in an apparently recent copy, by a modern hand, and was probably taken from the original among the Hamilton papers which were in Colonel Pickering's possession at the time of his death. The facts stated in it show great inadvertency on the part of the Secretary of War. After Colonel Pickering, acting upon consultation with the President and General Knox, had sent a message to the Six Nations, renewing the invitation to them to visit Philadelphia, about three months elapsed before they made their appearance. During all that time the Secretary of War was carrying on a correspondence with Mr. Kirkland relating to the subject, of which he never made any mention to Colonel Pickering, although meeting him every day, thus leaving him under an impression that the proposed visit of the Indians had been postponed, perhaps indefinitely, or, at any rate, that the matter was off his hands. He accordingly took measures to provide a residence for his family in Philadelphia, and to dispose, by lease or otherwise, of his house and lands in Wyoming, based upon the expectation that the former might be occupied, and the latter vacated, by the 1st of April. Having the Indian negotiation put upon him at the last hour, without any previous communication or conference of any kind, involved him in much perplexity, breaking up his business engagements and deranging all his plans. Then, after

the Indians had arrived, neither they nor the business on which they had come were promptly attended to. No wonder that he thought "things were going into an improper train," that the matter had not been rightly managed, and that he ought to have been more seasonably apprised of the service he was called to perform. He expressed himself accordingly, frankly and strongly, as was his habit, in his letters to Washington and Hamilton. He does not appear to have felt, nor is there the slightest reason to believe, that General Knox was actuated by any intentional courtesy. It was wholly an oversight, resulting from a want of consideration. The War-office at that time was overwhelmed with business connected with the expedition against the Indians northwest of the Ohio, and the importance of conciliating and securing the Six Nations was in a measure overlooked.

The Indian business having been concluded, and the machinery of the Post-office Department put in running order, Colonel Pickering was free to attend to the removal of his family. He had hired a house from Isaac Hazlehurst, which he thus described in a letter to his wife, dated March 16th, 1792: —

"I have engaged a house in Second Street, a little way above Colonel Miles's. 'Tis a large house, with two rooms in front. I shall keep my office in them, and, by that and other means, stand myself at three hundred dollars rent. It will be the most convenient house, including its appurtenances, that I could have found among five hundred. There is a roomy back-yard, paved with brick. A pump in the yard, a considerably large garden, and a stable so large that it would accommodate four horses and a cow. The garden has in it some valuable fruit-trees. Mr. Muhlenberg, the present occupant, will endeavor to leave it by the 1st of May. Nothing could be more fortunate than getting such accommodations for our

children. The yard alone is so extensive, it will give them abundant room for play."

On the 10th of May he set out for Wyoming; and before the end of the month his household was established in Philadelphia. After they had become settled, the business of his office attended to and provided for, and having obtained of the President leave of absence for such time as he might think expedient, he started on the morning of the 20th of June on his long-contemplated journey to New England. He had not been there but twice, and each time for a few hurried days only, since he joined Washington as his Adjutant-General in the Jerseys, on the 17th of June, 1777, a period of fifteen years. For the first time, in fact, since he carried his regiment to re-enforce the Continental Army, in the winter of 1776, he now had leisure to enjoy the scenes of his earlier life and the society of his relatives and friends.

He reached New York at one o'clock the next day, June 21st. Writing at that date, he says, "I shall set off to-morrow morning at four for the eastward. 'Tis now near dark. My eyes are much worse, but I have got eye-water of General Lamb, which I hope will help them."

The incidents of this journey, going and returning, and items of family and personal interest, are presented in the following passages of his letters to his wife:—

"HARTFORD, June 24th, 1792.

"I arrived here last evening in the rain, and the covering of the wagon being bad, the passengers got wet; but nothing about me has suffered but my clothes.

"I am now at Noah Webster's, where I have spent two or

three hours agreeably ; and presently I shall call and pass the evening at Colonel Wadsworth's.

“ After meeting, I was at Miss Ledyard's, to deliver her a letter from Andrew Hodge. She had many questions to ask about those whom she formerly knew at Philadelphia. She spoke of the boys, and mentioned (what I have heard others mention) that *you* said *I indulged them a little too much* ; but I think you must generally have been pleased with the indulgence, or you would have told me of it as well as others ; so, if there is any blame in the case, you must at least divide it with me.

“ I shall proceed in the morning for Norwich, and the next day reach Providence, whence, perhaps, I may go to Newport, and, if I do, will endeavor to finish my business on Wednesday, so as to proceed the next day in a stage, which runs thence to Boston. Otherwise I shall be obliged to return to Providence ; and then I shall not reach Boston till next Saturday night.

“ My eyes have been excessively inflamed and troublesome ; but, resting to-day, and frequently washing them with Madeira wine, they are greatly relieved. I have passed through many pleasant towns in Connecticut, but have had less pleasure than I should have had if my eyes had given me more time to look abroad.

“ Boston, July 3d. I arrived here last Saturday evening, having been detained two days at Newport, Rhode Island. I have the pleasure to find all my friends here in health and prosperity. I should, to-day, have gone to Salem, but for the celebration of Independence to-morrow, when I shall have an opportunity of seeing my old acquaintances.

“ Salem, July 10th, Tuesday. I arrived here last Thursday, and found all my friends in health, except brother Williams, who was a little indisposed, but is now better and walks abroad. My brother is remarkably well. On my arrival I walked into Broadfield, and met him and John Pickering, returning with their rakes from haymaking. John is in perfect health. His likeness to you strikes me more than ever. He is an excellent boy. Next week I shall go with him to commencement, to enter college, at Cambridge. I shall take him with me when I return to Philadelphia.

“ To-day I shall set out for Hampton and Portsmouth, with sister Clarke, and return on Saturday.

“ I see, as formerly, much harmony and happiness in the daily intercourse of the numerous branches of our family. An interview with them and my old acquaintance has been very agreeable.

“ Salem, July 17th. I returned on Sunday evening (the 15th) from Portsmouth, and found at my brother’s your letter of the 1st instant. I am very sorry that you continue to fatigue yourself so much as to produce the debility of which you complain; for I am persuaded that exertions disproportioned to your strength are the principal cause. The remedy is obvious. *Spare yourself*, and let others tend Octavius. You also need something more nourishing and stimulant than common drinks. Pray get some of the best porter (if you have not already got it), and drink a bottle every day.

“ I am much pleased with John P. in his disposition. I know not any thing which needs amendment. He is delighted with the idea of accompanying me to Philadelphia. This afternoon I shall take him to Boston; to-morrow to the commencement at Cambridge; that night to the Williams’s, at Watertown. On Friday or Saturday he will be examined for admittance at the University, and on Saturday I shall bring him back to Salem, where, after staying a very few days, I shall set out with him for Philadelphia. At present I think of setting out on Tuesday, the 24th instant, for Boston, so as to embark in the stage the next morning. In this case I shall reach Philadelphia this day two weeks, that is, the last day of July; but perhaps some accidents may make it a few days longer.

“ Sister Sargeant being here, I did not go to Haverhill.

“ Salem, July 22d, Sunday. I returned last evening with John Pickering from Cambridge. He is admitted to the University, having performed with great propriety the tasks appointed him.

“ I believe I last wrote you that I might set off for Boston next Wednesday, but I have now concluded to set off on Friday morning. Frank Williams, who is also admitted at the University, will go with us, and return with John. By

starting on Friday, they will rest on Sunday at Hartford, and be better able to endure the residue of the journey; and this little delay will give me more time with my friends. Frank Williams is sixteen years, and, thus provided with a companion, I shall be easy about John's return. I have spoken to the President, Mr. Willard (who desires his respects to you), to permit John's absence a week or two beyond the close of the vacation.

“ New York, August 1st. I arrived here last evening, with John and Frank, in health. I meant to stay a day here to show the boys the place, introduce them to some of my acquaintance, and do a little business for myself, and so to have left this on Thursday for Philadelphia; but the mail stage is entirely taken up for to-morrow, and I can have no place in it till Friday morning, for which I have engaged it; so I shall not see you till Saturday. This will give me and the boys time to see more of the place and of my acquaintance; and the day after our arrival at Philadelphia (Sunday) we shall have nobody to interrupt us, for I shall have a great deal to tell you, and wish to be undisturbed, and to rest. I at present propose that John and Frank should go from New York to Newport and Providence by water. This will probably make their return more expeditious, and afford some variety. For this purpose I shall make some arrangements while here, that they may take this voyage agreeably, wind and weather permitting. These causes of delay here, I hope, will be a sufficient apology for it. In the mean time, may God bless you.”

The two following letters from Colonel Pickering to his brother will conclude this passage of the family history: —

“ Philadelphia, August 11th, 1792. This will be handed to you by my son, Tim. He is pleased with the idea of visiting and remaining at Salem. He appears to me steady and judicious, though not addicted to the study of letters, like John; yet, with a good school education, I suspect he may become as well qualified for the active employments of com-

mon life. Very soon, I hope, he will learn to render you all the little services which were performed by John.

“ I think Mr. Rogers’s private school will be most eligible. I wish that Tim may improve in his handwriting, in arithmetic, and in reading English, which also I desire he may learn grammatically. Should Mr. Rogers have any scholars learning geography, I should like that Tim may join them.

“ The expenses you incur for his schooling and clothing I shall gladly reimburse. Hoping that he may give you entire satisfaction, and that you may have your health completely restored, long to enjoy and be enjoyed by your friends,

“ I remain, sincerely yours,

“ TIMOTHY PICKERING.”

“ PHILADELPHIA, August 17th.

“ DEAR BROTHER,

“ To-morrow John and Frank will set off for New York, which they will probably reach by evening. The next day, or on Monday, they will no doubt embark in a packet for Newport and Providence; and perhaps reach the latter by Wednesday, and Boston by Thursday.

“ Tim sailed with Needham last Saturday, the 11th, destined, in the first place, to Newburyport, to deliver freight, where they may be detained two or three days.

“ John and Frank have been very well, and I hope have been gratified by their journey.

“ I send this by post to advise you of their return. The letter ought to be at Salem on Friday, the 24th.

“ My family are well, and, as the extreme heat of the summer is broken, I hope they will remain so.

“ I am, dear brother, very affectionately yours,

“ TIMOTHY PICKERING.

“ P. S. August 18th, two o’clock, Saturday morning. John and Frank are now starting.”

CHAPTER II.

The General Post-office in 1792.—A Commissioner to treat with Indians north of the Ohio.—Yellow-fever at Philadelphia in 1793.—Makes a Treaty with Indians at Canandaigua.—Makes another Treaty at Oneida.—A Difficulty with New York amicably adjusted.—His Service as Negotiator with Indians.

1792-1794.

On his return to Philadelphia, Colonel Pickering applied himself to the duties of his office with his usual energy and industry: carefully superintending the operations of his department; removing from office, and appointing Deputy Postmasters in all parts of the country, as the public service required; organizing a strict and methodical system of accounts; and improving the arrangement of mail routes. He kept in constant communication with the appropriate Committee of Congress, and with persons in various cities and districts, from whom the best intelligence could be obtained, as to the means of increasing the accommodation of the mercantile classes and the people generally. His correspondence relating to these subjects is of curious interest, showing, in striking details, the wonderful enlargement of the postal facilities and functions since that day. It seems that the city Post-office at Philadelphia, in 1792, had but two clerks, with a salary of five hundred dollars each; was accommodated in a hired room of a private dwelling, at a rent of three hundred dollars; and was allowed fifty dollars a year for “fuel and candles.”

The Postmaster in the city of New York had two clerks at a salary of four hundred dollars each, was allowed two hundred dollars for office rent, and fifty for fuel and candles. The aggregate compensation for the year 1791, of all the local Postmasters in the United States, was 9,336 dollars and 94 cents.

The mail had previously been nearly two days in passing between Philadelphia and New York, starting from each city at eight o'clock A.M., stopping overnight at an intermediate point, and reaching the other city on or after one o'clock P.M. the next day. The route was rendered more expeditious, and brought within a single day, by starting the mail at two o'clock, A.M., from each city; and this was the highest rate of speed, it was thought, that could ever be attained. The two hired rooms in a private dwelling-house, in Second Street, Philadelphia, and the present grand scale of the General Post-office at Washington, are indeed a contrast; but not more so than the extent of post routes, the facility and speed of transportation, and the amount of mail-matter at the present compared with that day. A similar contrast is observable in all the branches of the public service, and shows more impressively, perhaps, than any thing else, the growth of the country, the expansion of its government, and the vast increase of its business, wealth, and power.

A party of Indians had visited the seat of government at Philadelphia. They were headed by Corn-planter, Half-town, and Big-tree, chiefs of the Six Nations. They made several speeches to the President, to which he responded. It was thought necessary for him at a fixed day, on the eve of their departure, to

make a final speech to them, deliberately prepared. Writing to General Knox, while preparing the speech, Washington says, "the enclosed letter from Colonel Pickering contains some good ideas of improvement, and, if necessary, may be useful in framing the answer to Cornplanter and the other Indians who are with him."

A correspondence it seems, had taken place between Washington and Pickering on the subject. In the President's speech to Cornplanter and the other Indians, thus he emphatically assures them, "The agent who will be appointed by the United States, will be your friend and protector." In furtherance of the object of vital importance at that crisis, and which was the purpose of Colonel Pickering's negotiations, before and after, of preventing the Six Nations from joining the Miami, or north-western Indians, in warfare with the United States, the President says, "You mention your design of going to the Miami Indians, to endeavor to persuade them to peace. By this humane measure you will render those mistaken people a great service, and probably prevent their being swept off the face of the earth. The United States require only that those people should demean themselves peaceably. But they may be assured that the United States are able, and will most certainly punish them severely for all their robberies and murders." The "good ideas" of Colonel Pickering, as Washington considered them, are presented in the following paragraph of the President's speech to Cornplanter:—

"You may, when you return from this city to your own country, mention to your nation my desire to promote their prosperity by teaching them the use of domestic animals, and

the manner that the white people plough, and raise so much corn ; and if upon consideration it would be agreeable to the nation at large to learn these arts, I will find some means of teaching them at such places within their country as shall be agreed upon."

It has been seen that Washington availed himself of such occasional services as Colonel Pickering expressed himself ever ready to render in the Indian department of the government.

On the 23d of January, 1793, the President addressed the following letter to Charles Carroll, of Carrollton :—

" DEAR SIR,

" The western Indians having proposed to us a conference at Anglaise, not far from Detroit, in the ensuing spring, I am now about to proceed to nominate three commissioners to meet and treat with them on the subject of peace. What may be the issue of the conference it is difficult to foresee ; but it is extremely essential that, whatever it be, it should carry with it the perfect confidence of our citizens that every endeavor has been used to obtain peace which their interests would permit. For this reason it is necessary that characters be appointed who are known to our citizens for their talents and integrity, and whose situation in life places them clear of every suspicion of a wish to prolong the war ; or say, rather, whose interest, in common with that of their country, is clearly to produce peace. Characters uniting these desiderata do not abound. Some of them, too, are in offices inconsistent with the appointment now in question, and others under impediments of health, or other circumstances, so as to circumscribe the choice within a small circle. Desirous, in the first instance, that you should be in this commission, I have mentioned these difficulties to show you, in the event of your declining, how serious they are, and to induce you to come forward and perform this important service to your country ; a service with which its prosperity and tranquillity are intimately connected.

" It will be necessary to set out from this place about the

1st of May. The route will be by the North River and Niagara. It will be safe, and the measures for your comfortable transportation and subsistence will be taken as effectually as circumstances will admit. Will you then permit me, Sir, to nominate you as one of the Commissioners, with a certain reliance on your acceptance?"

Mr. Carroll declined the appointment, as did also Charles Thomson, to whom a similar letter was written. The commission, as finally made up, consisted of Benjamin Lincoln of Massachusetts, Beverly Randolph of Virginia, and Timothy Pickering of Pennsylvania. They were confirmed by the Senate on the 1st of March, 1793.

Many of the circumstances attending the progress of the Commissioners are related in Colonel Pickering's letters to his wife, which aid in giving a view of the tedious slowness of travel eighty years ago.

It was concluded that General Lincoln should go by the Mohawk route. Governor Randolph and Colonel Pickering started at the day appointed, first going to Reading. They reached Sunbury at noon on the 4th, and, following the west branch of the Susquehanna, crossed from it over the country to Genesee, a distance of about one hundred and seventy miles from Sunbury.

" WILLIAMSBURG, on Genesee River, Saturday, May 11th, 1793.

" We arrived here last evening, after considerable fatigue, especially to Mr. Randolph. For my own part, after the three first days, the journey affected me so little that at the close of each day, after washing and eating, I was always ready for a new day's work, and am now perfectly well.

" We are just sending an express to Canandaigua for Parish, the interpreter, who is to meet us to-morrow evening, sixteen miles down the Genesee, and so much nearer to Ni-

agara, for which we propose to set out next Monday. That will cost us three days' journeying.

“ We shall probably be ten days at Niagara, waiting General Lincoln’s arrival.”

“ Niagara, May 17th, noon. We have just arrived here, after considerable fatigue, though I am in perfect health.

“ A letter from Colonel McKee, at Detroit, to Governor Simcoe’s secretary, informs that the western Indians will not be ready to meet at Sandusky till long after the 1st of June, so we shall remain here some time.”

“ Niagara, May 27th. Randolph and I have lodged at Governor Simcoe’s, where, and among all the officers of the British garrison, we have met with polite treatment.

“ On the 25th General Lincoln arrived, with the stores and baggage, so that probably we shall now pitch our tents, for we shall doubtless stay here more than three weeks. The fatigues of the journey, of which others complain, were nothing to me, and I remain in perfect health.”

“ Niagara, June 20th. I begin to be weary of my expedition, though I can hardly be said to have entered upon it; for the important business of it is yet to be begun. My little experience in Indian affairs convinced me that the treaty would be tedious; but I am now satisfied that it will be much more tedious than I expected, unless it should be cut short by the peremptory refusal of the Indians to accede to such terms as we can offer.

“ However, as soon as a vessel arrives from Detroit, at the hither end of Lake Erie, we shall embark and proceed for the mouth of Detroit River (for the Governor declines the letting us go up to Detroit, as we wished), and there remain till we get information that the Indians are at Sandusky in such numbers that we may begin business; or, rather, get acquainted with them.”

“ Niagara, June 26th. We are preparing to embark on Lake Erie for Sandusky. To-day I expect we shall leave Niagara. It will be some time in July before the treaty can begin. Two officers of the British army go with us. I consider them, as well as the Agents for Indian Affairs, whom

the Governor has ordered to attend, as *pledges* for our *safety*. So I think you may be quite easy on that score. From present appearances, I shall think it will be fortunate if we return by the beginning of September. General Chapin goes with us."

"Niagara, July 9th. I am happy that I can now tell you that the prospect of a successful treaty is greatly brightened.

"We had embarked on board a vessel in which we were to sail for Sandusky, but were detained by contrary winds. After lying a week wind-bound, there arrived a vessel with fifty Indians, deputed from the General Council of Indians at the westward, to see and speak to us in presence of the Governor of this Province. They had two questions to ask: one, the meaning of the hostile preparations and movements by the American army; the other, whether the Commissioners had power to run a new boundary line between their lands and ours. This brought us back from Fort Erie (where our vessel lies) to this place. We have spoken together repeatedly, before the Governor; and on both questions our answers have satisfied the Indians. 'They rejoiced to hear our words.' They have (according to their mode of speaking) this day taken us by the hand, to lead us to Sandusky, to commence the treaty. We are not apprehensive of any danger to our persons, even if the treaty should not be successful. The information and assurances given us on this point afford us entire satisfaction.

"To-morrow we shall set off again for Fort Erie, and shall sail with the first fair wind; first for Detroit River, to take in our friends the Quakers, Mr. Heckwelder, &c., and then to Sandusky. The disposition manifested in this short interview by the Indians makes me hope that the negotiations will be less tedious than I have sometimes apprehended. At the same time, taking our chance of wind and a variety of contingencies, we cannot now expect the treaty to *begin* before the first of August. Now, considering the distance and the delays which may happen, where we depend on travelling by *water*, my return to you need not be expected till October.

"Detroit River, August 12th. The prospects of peace are less flattering than when I last wrote. The Indians are divided among themselves: some are for peace, and some for war.

But those whom the contest principally affects are the least inclined to peace. These divisions prevent our meeting them. They appear not to have decided whether to treat with us or not. A few days will determine.

“ The nations averse to peace are the *Shawanese*, *Wyandotts*, *Delawares*, and *Miamis*; but many among these are for peace. All the other nations desire peace, and the Six Nations urge it with the most friendly zeal. Such is our information.”

“ On Lake Erie, August 21st. We are returning home without peace; the Indians insisting on the Ohio River as the boundary, which we could not admit. What negotiations have taken place between us have been only with *deputations* from their great council; it being the craft of the *man* or *men* who direct their measures, to keep us at a distance; lest by free and daily communications and friendly intercourse we should make some impression.

“ To-morrow we hope to reach Fort Erie, at the north-east end of this Lake, from whence to General Chapin’s, at Canandaigua, is about one hundred miles. We hope not to be detained at Fort Erie more than a day, in sending for our horses and getting them shod, and fixing for the journey home. Mr. Randolph and I propose going by the way of Albany and New York; so it may be from fifteen to twenty days, after we leave Fort Erie, before I arrive at Philadelphia.

“ We left Detroit River on the 16th instant, and have had, for the most part, light or adverse winds.

“ P. S. Fort Erie, August 23d. We arrived here this morning, between twelve and one. We expect to leave it to-morrow, and by the 27th to be at Canandaigua.”

“ At Berry’s, on Genesee River, twenty-six miles from General Chapin’s, August 27th. I formerly wrote you that Mr. Randolph and I should return by the way of Albany. Probably we shall be seven or eight days in getting there, and it may take a week more to reach Philadelphia.”

Besides letters to his wife, he wrote to his nephew, the Rev. John Clarke, of Boston. Addressing him from

Queenstown, "half-past one, July 10th, seven miles from Niagara," he says : —

"I am waiting the arrival of a boat with our baggage. Here the carrying place of nine miles commences. In this space of nine miles we pass the great Falls of Niagara, which, viewed from above, do not in any degree appear so magnificent as the representations lead us to expect. At the end of the nine miles our baggage will be again put into boats and carried to Fort Erie, seventeen miles further, where we shall embark for Sandusky. I closed the preceding page with an opinion that no injury to the Commissioners was to be apprehended, let the event of the treaty be what it might. I mentioned this because many people supposed our undertaking extremely hazardous ; and my eastern friends might entertain the same opinion, which you can now remove.

"I pray you to make known to my numerous friends my affectionate remembrance of them. My son, at college, I again recommend to your patronage. Your knowledge, your genius, your benevolence, your affection for me, will enable and induce you to give him the best advice and assistance."

It was quite natural that apprehensions should have been felt as to the personal safety of the Commissioners. The place at which the Indians asked the conference to be held could only then be reached by passing through the British possessions. The United States could not protect or succor them while outside of its territory. A very unfriendly feeling pervaded the local population, and the officials were in too much sympathy with the hostile Indians. To meet the proffer of the western tribes, it was necessary to confide in the good faith of the Provincial authorities. The obligation upon them, under the circumstances and in view of the world, to see that no harm befell the Commissioners was so strong

that Colonel Pickering and his associates implicitly relied upon it, and justly, as the event proved. They were treated with great politeness by the Governor and other officers.

But while protection was fully accorded them, it was obvious that they were kept under constant restraint. Beneath the show and tender of personal civilities, there was a surveillance amounting to espionage. Officers of the British army were detailed to accompany them. Governor Simcoe would not suffer them to go to Detroit, but detained them under his eye at Niagara. When they had started for Sandusky, and were embarked at Fort Erie, Indian messengers bearing preliminary communications in reference to a treaty met them, but were not allowed to deliver their message there. All had to return to Niagara ; and every thing that passed was required to be in the Governor's presence. The policy of the British authorities was to foment rather than allay the animosities of the Indians towards the United States ; and it must have been through this influence that the Commissioners were not allowed to meet the great Indian council at the place to which they had been invited, but were held at a distance, the Indians only appearing through deputies, and thus all negotiation for a treaty prevented.

In this way the object for which the commission was raised, and sent to the designated point, was frustrated. The circumstances were equivalent to a choice of war, rather than peace, with the United States, on the part of the Indians. In just one year from the time that this choice was made, the Indians paid the penalty at "Fallen Timbers," near the Maumee Rap-

ids, in their utter and destructive defeat by Wayne's army, which for ever broke the power of the tribes north of the Ohio, and put an end to British intrigues with Indians against the United States, at least while the governments of England and America were at peace.

On the return of the Commissioners to Philadelphia, the yellow-fever was prevalent there ; and soon so great were its ravages and virulent its type, that the whole city was in consternation ; and the panic spread through the entire country. It became a part of the personal and family history of Colonel Pickering, and is therefore not to be omitted in his biography. His correspondence tells the story of this memorable scourge more effectively than any general or methodical description.

The following letter to his nephew, the Rev. John Clarke, of Boston, describes the condition of things at its date : —

“ PHILADELPHIA, October 1st, 1793.

“ Surrounded by death, 'tis with peculiar pleasure and the warmest gratitude to God, that I can inform you that the lives of all under my roof have been spared. The state of my family, and of Philadelphia, as far as I can judge of it, you will see in the following extract of a letter I have just written to Mr. Charles Storer (son of Deacon Storer of Boston), now at New York, in answer to one from him, in which he requested such information and advice as might be useful to him and his friends there and at Boston, at which latter place he says they had heard the *fever* had made its appearance.

“ Nothing is more difficult than to describe, with any certainty, the present state of Philadelphia, in respect to the prevailing disease. Many die daily ; though, upon the whole, I thiuk, fewer than heretofore. A few days of cold weather seem to check the disorder ; but, on the return of warm weather, the deaths are again multiplied. Probably, in the

whole, full fifteen hundred have died ; but at least half of them for want of proper attendance, and of the other half, the largest part, from fatally erroneous treatment by the physicians. Doctors Stevens and Kuhn pronounced it a disease of debility and putrefaction. They had many followers, who, practising on that idea, consigned multitudes to their graves. About ten days since I was at Doctor Rush's, when a young physician, who had been a pupil of Kuhn's (and in his practice had helped many out of the world), came and acknowledged that it was a highly inflammatory disease ; that he had made divers dissections, and found the stomach highly inflamed ; and that now he found bleeding and purging absolutely necessary in the cure of the disease, only that bleeding should precede the purging. He proposed writing a line to Doctor Rush, to be published, and in it wanted to insert the *inflamed state of the stomach* ; but Doctor Rush refused to have such a publication through him. If, said the Doctor, you mention that the stomach is inflamed, you will deter others from the use of calomel, which experience proves is so essential. Assert the simple fact of the efficacy of bleeding and purging, and leave the theory to be settled hereafter. The young man departed.

“ This passed in my hearing. Doctor Rush answered that, since the weather had grown cool, he also had found it necessary to bleed before he gave his purge of calomel and jalap. I have such entire confidence in the safety of Doctor Rush's practice, that my fear of the disease is greatly abated. But I follow his advice while in health ; so do all my family, — living in *uncommon temperance* without incurring debility. We eat largely of bread and vegetables, little or no butter, but molasses and honey instead thereof ; barley-soup and very little meat. We drink no wine, but use porter, much diluted with water ; tea, coffee, and chocolate. And we are careful to keep the body gently open. Castor-oil we find most convenient for this purpose, taken about once a week. Kuhn's disciples perhaps might say that the sickness in my family was not from the contagious yellow-fever, which has proved so mortal in other families. Of this I cannot positively pronounce. But I will mention some facts. On my

return home (September 13th) I found one of my sons (Henry) and a servant-man sick. When taken sick, their symptoms (according to my wife's account) corresponded with those mentioned as marks of the common fatal epidemic. Doctor Rush was early called to their aid; and, under his management, with careful nursing, both got well in about ten days. A maid-servant has since fallen sick. Without calling a physician we practised Doctor Rush's method, and she is now nearly well. Yesterday another maid-servant fell sick. I immediately sent for a bleeder, and as she was of a plethoric habit, and in a high fever, full ten ounces of blood were taken away; more would probably have been better. She also took the Doctor's purges. Her symptoms have greatly abated. Two servant women, at a neighboring house, where the family had removed to the country, fell sick successively, and came to ask advice. My wife and I prescribed for them, as for our own, and both are getting well. I have myself been indisposed; and though, in consequence of a week's temperate diet and gentle purging, my symptoms were light, yet some novel sensations have induced me to think it was a touch of the prevailing disorder. I lost some blood, and lived abstemiously, and several times rode moderately a few miles, to breathe the pure air of the country; and am now pretty well. The *exercise and fresh air of the country I have uniformly found as beneficial as grateful.* Such is the state of my family: we have not lost one. Now other physicians have practised in the neighborhood, and many deaths have happened all around us. Yet I cannot suppose that the several instances of sickness in my family were of one species and those among my neighbors of another. Multitudes of the sick have not been able to obtain a physician, and being either wholly unprovided with nurses, or only with nurses destitute of common care and prudence, have perished. Many have been so sunk with fear that they were beyond the reach of medicine. Many have been abandoned by their friends, and left in the hands of negroes and other ignorant mercenaries to be nursed, or rather to fall victims to a disease from which the lenient hand of friendship might have relieved them. I have now written what has occurred to me in answer to your request.

In case of any dangerous epidemic in Boston or other large town, beyond the power of physicians duly to attend, I should recommend the choice of some honest men and women in every ward, or smaller district, to go round, find out the sick, and administer to them, on the plan which the most skilful and successful of the physicians should prescribe. The poor particularly demand this care.

“So much, my dear Sir, I have written to Mr. Storer. I have not time to add to it at present. I shall be happy to receive a line from you, and if any questions occur to you on this subject, I will endeavor to answer them. If Dr. Rush survive this common calamity, I expect he will publish a very full history of it for the benefit of mankind.”

A few days after the date of this letter, notwithstanding all the above-mentioned precautions, and methods of prevention and cure, and in spite of Dr. Rush’s medicines, the Destroyer entered and gathered victims under Colonel Pickering’s roof. His son Edward, six years of age, died on the 10th of October, and a maid-servant about the same time.

“MOUNT VERNON, 14th October, 1793.

“The numerous and various reports which I have received from people who were not possessed of any *accurate* information with respect to the state of the malignant fever with which Philadelphia is so unfortunately afflicted, and my intention being to return thither, or its neighborhood, about the first of next month, have induced me to ask this information from you. And I beg you will advise as well of the state of the fever in Philadelphia, as whether it has extended itself in the country, Germantown, &c., to which last I have heard it has reached.

“Taking it for granted that the fever will not have entirely disappeared in the city of Philadelphia, and the place become quite purified, so as to admit the members of Congress to meet there with safety by the first of December, what accommodations could be had for them in Germantown, if it should be free from infection? If, however, this place should

be thought unsafe, or improper, what other has been in contemplation for the next session of Congress? Full information of these matters, and of the prevailing sense of those who have had an opportunity of judging, and are best acquainted with the true situation of things in and about Philadelphia, is what I very much want, as the accounts we receive here are so opposite and unsatisfactory that we know not on which to rely.

“ By report we learn that Mr. Willing (president of the bank), Mr. John Ross, Mr. Jonathan Serjeant, Mr. Howell, Colonel Franks, and many others of our acquaintance, have fallen victims to this fatal fever; that near four thousand have died; and that the disorder is more violent than ever. Is this a faithful representation?

“ I hope your family is out of the way of this dreadful contagion, and that you and Mrs. Pickering are well. With esteem, regard, &c.

“ G. WASHINGTON.”

“ P. S. What sort of a place is Reading? How would it answer for the accommodation of Congress the ensuing session? ”

Colonel Pickering replied as follows: —

“ PHILADELPHIA, October 21st, 1793.

“ I have been honored with your letter of the 14th, relative to the fever which has raged so fatally in this city. ‘ Accurate information’ of its state it may be impossible to obtain. But I am warranted by Dr. Rush’s opinion, grounded on his own practice, and the information of other physicians, that there is an abatement of it by at least one-half. For a number of days, preceding the last ten days, I was frequently at Dr. Rush’s, when his house was always thronged with applicants for assistance or advice. I sat an hour with him yesterday, and not one application was made. One of his young men said that, on Saturday, the French physician, of the hospital at Bush Hill, told him they then had but three dangerous cases there.

“ About *three thousand* persons have died in the city and suburbs since the beginning of August, of whom, perhaps,

twenty-eight hundred may have died of the yellow-fever. Of the persons you mention by name, Mr. Willing and Mr. John Ross are both alive and well. Mr. J. Serjeant, Jacob Howell, a lawyer,— brother-in-law to Mr. Rawle,— and Colonel Franks, are dead, as well as many other valuable citizens. Mr. Powell's death was long since announced in the newspapers.

“ Of the multitude that have died, I believe full three-fourths have fallen victims to *bad practice* and absolute neglect. This neglect was such that nearest relatives abandoned each other. Many physicians persisted in the *stimulant* plan of *cure*, against the evidence of their senses; yet, at length, when themselves attacked by the disease, they have resorted to Dr. Rush's mode of bleeding and purging. One of them, (Dr. Currie), in particular, in a publication of the 17th of September, pronounced bleeding and purging, in the yellow-fever, *to be certain death*. He has lately fallen sick, and rescued himself from the grave by bleeding and purging! Some others (probably most, or all *now*) bleed and purge; but either inadequately, or counteract their effects by their giving bark and laudanum! To this last-mentioned practice the pious Dr. Sproat, one of his daughters, his son, the major (formerly Aid to General Hand), and his wife, have lately fallen sacrifices. One German clergyman, and two Catholic priests have also died. In short, multitudes have been the unhappy victims of ignorance and pride. Dr. Kuhn early pronounced the disease to be *putrid* and *debilitating*. Dr. Stevens, who attended Colonel Hamilton, confirmed his error, and they had many followers. Kuhn soon fled to a safe distance from the city, but has left his first opinion uncontradicted. That Rush's opinion was right, is confirmed by writers of indisputable authority, as well as large experience here. He, it is true, has lost a number of patients; but, worn down with fatigue, he was not able to see divers of them at critical periods.

“ From observation, in my own family, of those who died, as well as those who lived, I am *perfectly convinced* that, terrible as the disease has proved, the cure of it, in common subjects, is *short and easy*, if *no time is lost* in bleeding and

purgings, according to the degree of inflammation. In a letter I lately wrote you, I mentioned the death of one of my sons; the other death in my family was of a maid-servant. Eight have had the disease. Besides which, Mrs. P. and myself, without being confined, have experienced *new sensations*, which we can attribute only to the contagion of the fever.

“On my return from Canada I found, unexpectedly, my family in the city, and a son and servant sick. Under such circumstances it was impossible for me to find a house in the country for their reception, and I could not abandon them; and when we had all been exposed to the contagion, I feared to remove from the physician on whom I could depend. Numbers have removed with the infection, and died in the country. This, in a few instances, has happened at Germantown, but the disease has not otherwise been there.

“If this city should remain infected till December, Germantown will not furnish accommodations for Congress; ‘tis crowded with citizens of Philadelphia. Reading is a large village, containing several hundred houses, with a large court-house that might do for the House of Representatives, and probably some room elsewhere in the town might be found for the Senate. I have several times thought on the ensuing session of Congress, and, indeterminately, on the safety of their meeting here the beginning of December. Dr. Rush thinks that by that time the city will be free of the contagion, here and there a solitary instance excepted, from which there can scarcely be any hazard. This is a well-known fact that considerable increase of cold, even during a single day, has constantly been marked by an abatement of the number of deaths. If then, in the height of the contagion, its effects were suspended by a day’s cold, we may reasonably conclude that a continuance of cold with rains, which we may expect in November, will *destroy* it. And this is Dr. Rush’s opinion.

“I do not know what sentiments are entertained relative to the meeting of Congress. I will see Judge Peters and the Attorney-General, and transmit you their opinions by the next post. I will afterwards write you weekly or oftener on the state of the disease, from which you will be able to determine what course to pursue. But I would entreat you not to re-

turn hither yourself so soon as the beginning of next month, nor to any place in the neighborhood, for you would be illly accommodated.

“Yours, &c.,

“TIMOTHY PICKERING.

“FOR THE PRESIDENT OF THE UNITED STATES.”

Colonel Pickering immediately conferred with leading characters, as to the best place of meeting for Congress. On the 22d of October he went to Germantown to make inquiries and observations; and it was concluded that an academy and adjacent building in Germantown would answer for the temporary accommodation of the two houses. As many of the hurried fugitives from Philadelphia who had flocked to Germantown had dispersed to other places in the country, room would be found for the board and lodgings of the members of Congress. On the 23d he sent Washington a communication to this effect, in which he says of himself and others interested in making the necessary arrangements: —

“Their first object will be to provide for you the best and most convenient house the adjacent country will afford, to which, if you think proper, you can soon resort. I will give you the earliest notice when this provision is made. As I mentioned in my last, the fever has not been known in Germantown, except with persons who had carried the infection from the city. And Mr. Peters mentioned a remarkable fact, that, from all such deaths in the country, not a single instance had been known of the infection being communicated. On my way to Germantown yesterday, I spoke of this circumstance to a reputable man whom I knew, and who lives near Fair Hill. He confirmed it all by many instances which, he said, had fallen under his own knowledge. By this it would seem that persons, not previously contaminated by the impure air of the city, were not susceptible of the disease.”

On the 28th of October, he wrote to Washington thus:—

“I have the pleasure to inform you that the mortal fever, which has raged in this city, is prodigiously reduced. A fortnight ago from ten to fourteen were daily buried in *Friends'* burying-ground; but in the last *five* days only *three* in the whole have been buried there. Among the German Lutherans the reduction appears by the following list:—

| | |
|-------------------------|------------------------|
| October 22, buried, 19. | October 25, buried, 8. |
| “ 23, , 10. | “ 26, , 5. |
| “ 24, , 8. | “ 27, , 1. |

“Of the burials among Friends, half were not of their society, but permission was obtained to bury in their ground.

“Last night we had a frost. I found in my yard ice the fifth of an inch thick. We may expect a continuance or frequent repetition of frost, which must destroy the contagion. The rapid decrease of the sickness, within a few days, will warrant that conclusion. Nevertheless, I am of my first opinion, that it will not be expedient for you to come to the city yet, though divers of the inhabitants are returning.

“Not having been informed whether a house has been provided for you in the neighborhood, I shall ride to-day or to-morrow to see Mr. Peters about it. I hope by the next post to inform you that the provision is made.

“Shops are opening, business increasing, and the countenances of the citizens look cheerful.

“I am happy to communicate such pleasing news.”

The disease had so wholly disappeared by the end of November that the President came into the city, and Congress assembled there on the 2d of December.

Colonel Pickering's remaining in Philadelphia during the period of the fever occasioned great anxiety among his relatives and friends in New England. The following letter from the Rev. John Clarke shows the alarm that pervaded the country, occasioned by the scourge

that was sweeping away the population of that city; and, as evidence of the affection of his kinsman, is a part of his domestic history:—

“ BOSTON, October 19th, 1793.

“ DEAR AND HONORED SIR,

“ It is impossible to describe how much I have suffered on your account, since the reception of your last melancholy letter. The loss of a child I have experienced, and therefore can enter into all your feelings. I know how natural it is to call up the amiable qualities of those who have left us. And I am equally sensible how natural it is to reflect on ourselves, as though we had been wanting in duty, and to embitter our loss by self-accusations. But, Sir, assured of your ardent affection for all your children, I am convinced that every attention was paid to the amiable Edward. You acted, I am certain, according to your best judgment; and you are too much of a Christian to regret that so dear an object is removed from the protection of an earthly to the presence of a heavenly parent; from a world where he might have been miserable to a world where he must be happy.

“ But, Sir, whilst I do homage to your piety, I can scarcely reconcile, even with common prudence, your residence in a city devoted to destruction. If you regard the feelings of a friend; if the anxiety of a brother, sisters, and other connections; if compassion for your family; if the least regard to yourself can have any weight with you, delay not one moment to quit Philadelphia. I had rather hear that you had made your retreat, even if you should find no other shelter than a common tent, than that you enjoyed the sole attention of Dr. Rush, highly as I esteem his learning and abilities.

“ My dear friend, your life is too important to be thrown away. I wish you to live for the sake of the public. I wish you to live for the sake of the family which divine providence has committed to your care. I wish you to live for the sake of your many friends in these parts, whose apprehensions for your personal safety exceed description, and I wish you to live for my own sake. You have no call to expose yourself. So far from it, you are bound, by every principle, to make your

escape from a place where a pestilence reigns in all its malignity, and in all its horrors.

“ I hope this counsel will not be too late. Your next letter I shall open with trembling hands, as I now anticipate it with an aching heart. I hope it will be dated from any other place, rather than Philadelphia, already a grave to thousands. I have but too much reason to fear it will be such to more than one of your family ; possibly to him who of all men is dearest to John Clarke.”

Writing November 21st, Mr. Clarke says : —

“ I thank heaven that health is restored to your family. Our fears on your account have been very distressing. At length, however, they have subsided. And, whilst we lament with you the loss of a promising son, we rejoice that the wound has not been repeated. I have only time to assure you that, among all your friends, you have not one more affectionate than your nephew, J. Clarke.”

Again, January 4th, 1793 : —

“ Your son is in perfect health, and pursues his studies with great success. He sustains a most exalted character, both in regard to morals and literature.”

And again, February 16th : —

“ Our friends at Salem are well. Mrs. Lyman is the same lovely woman which you predicted from the accomplishments of Lydia Williams. And she is happy, very happy, with a man who knows how to appreciate her merits, and who has few equals in judgment and understanding. Your son paid me a visit not long since ; and, by my advice, is reading ‘ Tacitus ’ and ‘ Buffon.’ The former will furnish high entertainment as a classical historian ; and the latter will, at the same time, help him in his French, and introduce him to the knowledge of nature.”

The regular course of Colonel Pickering’s duties as Postmaster-General was again interrupted by another mission to negotiate a treaty with the Indians of the Six

Nations. An account of it is gathered from letters to his wife, as in the following extracts:—

“ Canandaigua, September 20th, 1794. I arrived here yesterday. The rains detained us by the way as much as a day. The Indians are not assembled. Yesterday two runners arrived from Buffalo Creek, and delivered me a message from the Indians there, inviting me to meet them there. I shall return an answer to-day. I am not authorized to hold the treaty anywhere but at Canandaigua ; and here I shall remain until I have their final answer. I suppose they will come here. If not, there will be no treaty, and I shall soon be on my way home. But General Chapin is confident they will come here. Their objection is grounded wholly on British reasons, by British influence on the chiefs, many of whom are sufficiently corrupt to play a double game. If they come here, they will not arrive, probably, and be ready for business under ten days.” “ Since sealing the enclosed, I have delivered an answer to the message brought me by the runners. They then delivered me another speech, from the Indian council at Buffalo Creek, to this effect: that *if I would not meet them there, they would come here.* So the treaty will take place ; but I do not expect the Indians here in less than a week ; so that in about ten days it may begin ; and I anticipate the desired success.”

“ Canandaigua, September 25th. Yesterday the Friends arrived, and delivered me your letter of the 14th. I was happy to learn the family were so well. The warm weather you mention I felt on my journey ; but since my coming here, the weather has been cool. Three mornings ago, the ground was covered with a hoar-frost. The cool weather, which you must soon feel in the city, I hope will check the prevalent diseases. It has been uncommonly sickly at this place. The bilious fever is the general complaint.

“ At Oneida, about thirty Indians have died this season. At Onondaga, most of the Indians are sick, and thirteen white people have died there,—chiefly, I believe, those who were engaged in making salt at the Salt Spring. At some other

places in this new world, particularly on Genesee River, the people have been more healthy than usual.

“ Yesterday, one hundred and thirty-five Oneidas arrived. The Senecas, and others dwelling in their country, will not arrive till next week.”

“ Canandaigua, September 27th. I have written you within three days past, but the letter is still here. This goes by a different route. In the former, I have desired you to search my desk for an invoice of Indian goods, signed by Mr. Tench Francis; and, if found, to forward it by post to Reading in Pennsylvania, whence it will come to Bath (forty-four miles from this place), whence it will be sent to me. I have also desired, if it is found, that you would have a copy of it made out and sent me by the way of New York, Albany, and Whitestown. If you don’t find it, get Mr. Hodgdon or Mr. Bradley to procure a copy from Mr. Francis, and forward the same to me one way, and another copy of it the other way.

“ I have a message by runners, arrived this day from Buffalo Creek, by which I am informed that the Indians there intend to set out for Canandaigua on the 2d of October. So they will not arrive till the 9th; and other delays will probably prevent my opening the treaty till about the middle of the month.”

“ Canandaigua, October 5th. In my last, I informed you of the delays of the Indians; but I expect them all in this week; so that, by the 13th, we may seriously commence business. But hence you will see that it will be some time in November before I can get home. Mr. Gorham sets off to-day for Charlestown; by him I write to John Pickering.”

“ Canandaigua, October 15th. A New York paper, of the 1st instant, mentions a letter from Philadelphia as saying that the yellow-fever had appeared there. I hope nothing more than was known to me before I left home. Should it spread (which I do not expect), I beg you to remove in time. My heart yet bleeds with the former wound.

“ The Buffalo Creek Indians did not arrive till yesterday; and Cornplanter and his Indians will not be in till to-morrow morning. That will make up about one thousand two hundred, and more are coming. In the whole, probably they

will amount to one thousand five hundred. I see no prospect of beginning business for several days; and it will doubtless be the last of this month before the treaty is over. And, as I must return by Oneida, I have little expectation of reaching home till the middle or twentieth of November. The Indians appear as friendly as I ever knew them."

"Canandaigua, October 24th. I have at last the satisfaction of informing you that we have begun the negotiation about the Indian lands; which have always been the source of disputes and wars. The Indians manifest a good disposition, and, though they speak pretty strong, I think the conclusion may be satisfactory, and that, by the last of next week, we shall get through the business."

"Canandaigua, October 28th. You see this month is just expiring, and we have but just entered upon the material part of our business. I have the pleasure to inform you that I am very well, except from the small remains of my cold; and fortunately my eyes are remarkably well, though the two preceding nights I have been obliged to write till after midnight.

"General Chapin is, I think, very ill with the jaundice, and though he sometimes goes abroad, I am somewhat fearful that he may not get the better of it. His death would be a great loss to this country, of which he has been the main support in the conduct of affairs; and I do not know any one who could make good his place in the Indian department."

"Canandaigua, November 7th. Yesterday I expected to fix the terms of the treaty with the Indians; but they were perverse and shuffling, through fear of offending the British and the western Indians; and to-day the principal chiefs are drunk. When we meet again, I expect we shall come to an agreement (this may be to-morrow); and by the middle of next week I may get away."

"Canandaigua, November 12th. Yesterday the treaty with the Six Nations was agreed on and signed. It will take two or three days at least to divide the goods among them. I shall have other business to complete here; so that I cannot start till about the 17th or 18th. Then it will take three or four days to go to Oneida; for the roads are intolerably bad, as we

have had rains almost daily these three weeks. At Oneida, I shall be detained two or three days, and then go for home. So it will be in December before I can reach Philadelphia.

“ If the treaty I have made should be approved by the President and Senate (which I expect), it will afford me very great pleasure to have accomplished it.”

“ Kingston (or Esopus), Monday, December 15th. I am thus far on my way home. This place is about forty miles above Newburg, on the North River. It was my intention to proceed hence to Goshen and Sussex Court-House, but am now here informed that the road is much better from here to the Minisink, on the river Delaware, then down the Delaware almost to the Blue Mountain, then to cross it, and go by Colonel Stroud’s, the Wind-gap, and Bethlehem, to Philadelphia. This route I shall pursue, and am on the point of starting, to go ten miles this afternoon. By next Saturday night I expect to have the pleasure to see you and my dear family. It is so long since I wrote you, that I fear you have suffered some anxiety. I drop this line in expectation that it may reach Philadelphia before me.”

This completed Colonel Pickering’s service as Indian negotiator. He had held conferences with the tribes included under the general name of the Six Nations, on five several occasions.

These public conferences with Indians were accompanied with much ceremony, and the interchange of frequent formal addresses. Almost daily the whole body assembled, and were placed in order; the old men and chiefs in front of the Commissioner, the warriors next behind them, then the younger men; and the women and children in the rear. A speech was expected from the Commissioner, and responded to by some famous warrior, or leading chief in the councils of the nations represented at the meeting, selected for the purpose. Silence was observed, and the utmost gravity and deco-

rum prevailed. The speeches were uttered slowly, a sentence or brief passage at a time, the interpreter interposing between them the function of his office. To convey the ideas of the speakers of both sides fully and accurately, especially to make them intelligible to the Indian audience, required great care, skill, and experience on the part of the interpreter.

Colonel Pickering, while among them, studied their forms of expression, peculiar mental habits, prevalent associations and sentiments, and traits of character, with the view of addressing them most impressively and effectually. He felt the importance, accordingly, of framing his speeches with the most artistic and exact precision and adaptation. He bestowed much labor upon them; more, perhaps, than he ever did in his life on the productions of his pen. In his correspondence at the time with his wife, he speaks of being much engaged in writing, sometimes until after midnight. A large number of his speeches on these occasions are found among his manuscripts. The whole, no doubt, would constitute quite a volume.

In this way he acquired the power of reaching Indian minds effectively; which, added to the peculiar influence he had over them by his aspect and bearing, and their confidence in his integrity, sincerity, and truthfulness, made him a successful negotiator with them. Washington and Knox, knowing this, threw business of this kind into his hands. Those who had control over the Indians of the north-west, and did not desire to have them reconciled to the United States, probably also knew it. They were aware that by his agency the Six Nations had been prevented from joining in the war

against the United States; and, for this reason, they prevented his meeting the grand council at Sandusky.

Some particular circumstances connected with his Indian missions, and a general summary of his plans and policy in conducting them, will bring this branch of his biography to a close.

The important mission to the north-west Indians, in which he was associated with General Lincoln and Governor Randolph, had failed, owing mainly, as has been intimated, to the adverse machinations of British agents and officials. That such was Governor Simcoe's influence, was evidently Colonel Pickering's conviction. In writing to Washington, immediately after his return to Philadelphia, he says: "To Governor Simcoe's *public* professions of regret, &c., at the issue of the treaty, a number of facts may be opposed. These, with other communications, I hope to have the honor to lay before you, when it shall please God to permit you to return hither with safety." Governor Randolph seems to indicate a similar opinion. In a letter to Pickering of January 17th, 1795, he says, in reference to the negotiations the latter had just concluded with the Indians at Canandaigua: "It has been only a few days since I have been acquainted with the successful issue of the treaty with the Six Nations. This event will, I hope, lead to an accommodation with the western tribes, upon terms advantageous to the United States. I see, by debates of Congress, that the legislature have hopes that the desirable object will be shortly attained." He proceeds, alluding to the great and decisive victory, then recently announced, of General Wayne over the north-western tribes, "Our old friend Simcoe is, I imagine, thoroughly

mortified by the defeat of his tawny friends, notwithstanding his declarations, in his letter to Mr. Hammond, of his sincere desire to preserve peace with America, and the resentment he discovers for having been ever supposed to cherish any hostile disposition towards her." General Wayne, writing to the Secretary of War, December 23d, 1794, expresses the same opinion in plain terms. "The enclosed copies of letters and speeches will best demonstrate the insidious part recently taken by the British agents, Messrs. Simcoe, McKee, and Brant, to stimulate the savages to continue the war."

The treaty made by Colonel Pickering with the Six Nations, at Painted Post, in the summer of 1791, gave rise to some complications with the State of New York, which, if a spirit of moderation had not been exercised by the parties concerned, might have led to serious difficulties. It was absolutely necessary for the safety of the United States to conciliate the Six Nations at that crisis; but New York was averse to all measures that might fasten them upon, or give them a permanent title to, lands within her limits. The Secretary of War, General Knox, informed the Governor of New York, in a letter of April 12th, 1791, of the proposed negotiation with the Six Nations, as in the following extracts: "As it is to be apprehended that the Six Nations may be brought to act against us, it has been conceived important to assemble them together, particularly the Senecas, at as early a period as possible, in order to brighten the chain, and to remove all causes of discontent. Accordingly, Colonel Timothy Pickering, who resides at Wyoming, and who had a meeting the last autumn with the Senecas, at Tioga Point, has been requested to invite

the Six Nations generally to a meeting, at such place as shall be most convenient to them." In a letter, dated April 27th, the Governor expresses to the Secretary his "regret that the measure of attempting a convention of the whole Six Nations hath been resolved and acted upon." In reply, the Secretary, May 11th, reiterates the reasons why the "measure" was regarded by the President as "highly expedient," and informs the Governor that "Colonel Pickering has appointed the Painted Post as the place, and the 17th of June next as the time, of his meeting with the Indians."

In the "instructions" to Colonel Pickering, he is directed to take with him authenticated copies of certain speeches that had a year before passed between Cornplanter, a principal Seneca chief, and the President of the United States, and to repeat to the Six Nations all that the President then said, "as the foundation of their future expectations." The burden of Cornplanter's speeches on that occasion was, that the right of the Indians to their lands should be secured. The speech of the President, in reply, promised them that security in the strongest possible terms. "Hear well," he says, "and let it be heard by every person in your nation, that the President of the United States declares, that the general government considers itself bound to protect you in all the lands secured to you by the treaty of Stanwix, the 23d of October, 1784." "You possess the right to sell, and the right of refusing to sell, your lands. That, therefore, the sale of your lands in future will depend entirely upon yourselves. But that, when you may find it for your interest to sell any part of your lands, the United States must be present, by their agent, and will

be your security that you shall not be defrauded in the bargain you may make." In this speech to Cornplanter, the President refers to a "law of Congress" on the subject, and says, in confirmation of the "fatherly care the United States intend to take of the Indians, I refer you to the explanations given thereof by Colonel Timothy Pickering, at Tioga, which, with the law, are herewith delivered to you."

The "instructions" go on to say: "It being the sincere desire of the general government that the Indians, on all occasions, should be treated with entire justice and humanity, you may give the strongest assurances on this point. The great object of the proposed meeting will be to impress on the minds of the Indians that their interest and happiness depend upon the protection and friendship of the United States, and to conciliate their affections; for which purpose you will use your highest exertion." Among other directions, this is particularly given: "You will inform the Indians how desirous the President of the United States is that the Indians should have imparted to them the blessings of husbandry and the arts, and of his willingness to receive the young sons of some of their principal chiefs, for the twofold purpose of teaching them to read and write, and to instruct them fully in the arts of husbandry. If they should readily accede to this proposition, you may receive the children to be educated, either at the time of the treaty, or at such other time and place as you may agree upon." This suggestion is made: "If it should be your opinion that pensions, not exceeding one hundred dollars each, bestowed annually on four or five of the principal chiefs, would greatly tend to create or increase an attachment

to the United States, you will please to intimate the same to them."

When it is considered that the main purpose of every negotiation with Indians was to give them satisfaction as to the confirmation and secure reservation to them of their lands, and that a refusal on this point would have instantly provoked them to the most determined hostility, led to a perpetual war against the United States, and driven every tribe, north and south, into an alliance with the north-western Indians; and the speeches between Cornplanter and the President are taken into view in connection with the "instructions," of which the foregoing passages are a part, — it will be seen that the treaty had necessarily to contain assurances to the Indians of the preservation of their lands. This, however, raised objections on the part of New York, many of whose people had confidently expected to get possession of those lands; and quite a serious opposition to the ratification of the treaty arose from that quarter. It was particularly complained of that Colonel Pickering had formally certified, in his character as "Commissioner in behalf of the United States," to a certain "assignment" to two members of the Seneca tribe, by its chiefs, of a tract of their land "therein described." This was charged with being a bar to parties to whom had been granted "pre-emption rights" to those lands..

Colonel Pickering addressed the following letter to the Secretary of War, in explanation of his proceedings: —

"PHILADELPHIA, 16th August, 1791.

"In addition to the information given in the report of the proceedings at the late treaty with the Six Nations of Indians, relative to the land assigned by the Seneca Nation, to the

children of one of their women by Ebenezer Allen, and to the Cayuga reservation, leased to John Richardson for twenty years, it may be expedient for me to mention more particularly the grounds and inducements to a public ratification of both at that treaty.

“ It appeared to be understood by the Senecas that Messrs. Morris and Ogden, as the grantees of Massachusetts, had the right of pre-emption of all their lands ; but, at the same time, there existed nothing to bar *a division of their whole country among themselves* ; and, if they could *divide* the whole, they could certainly *set off a part to two individuals of their nation as their share*. This is the object of their deed to Allen’s children, whom they called *their children*, agreeably to the rule of descent among them, which is in the *female* line ; and in this deed the land assigned is declared to be in full of those two children’s share of the whole Seneca country. Here was the ground of my ratification.

“ Now, you will be pleased to recollect that, before this matter was opened in council, I had repeated the law of the United States relative to the Indian lands, and the solemn declaration of the President, last winter, to the Cornplanter, that they (the Indians) had a right to sell, or to refuse to sell, their lands, and that, in respect to their lands, they might depend on the protection of the United States ; so that, on this head, they had now no cause of jealousy or discontent. This being by them well understood, I saw no way of avoiding the ratification of the assignment to *their two children*, without reviving, or rather exciting, their utmost jealousy, *as it would have been denying the free enjoyment of their own lands by some members of the nation, according to the will of the nation* ; and a denial, I was apprehensive, would lead them to think that the solemn assurances of the President were made but to amuse and deceive them. Here you see my great *inducement* to the ratification. Let me now remark that every proposition made by me to the Six Nations, for introducing among them the primary and most useful improvements of civil life (propositions grounded on the President’s declarations to the Cornplanter, which I was enjoined to repeat, and on your particular instruction on this point), leads to a

separate occupancy and enjoyment of land. The introduction of the art of husbandry, in its improved state, was the great object; but improvements in husbandry could not take place without exclusive property, that the improver might enjoy the fruit of his labor. Neither could the improving husbandman exist without the *smith* and the *carpenter*; and his *flax* and *wool* would furnish employment to the *spinner* and *weaver*. These were all the manual arts I mentioned. Instruction in the arts of *reading* and *writing* was at least equally desirable to the Indians. Some of the chiefs have even manifested an anxiety to obtain such instruction for their children; and, on this head, the President was explicit, that they should receive the necessary aid. The obvious consequence of such improvements is the *separate enjoyment of lands*; the nature and advantages of such improvements were explained, and appeared to have been fully understood by the Five Nations, and they have explicitly agreed to adopt them. They only wait for that assistance which they were assured the United States were ready to afford them. Should that assistance prove successful (for at this stage of the business I cannot entertain a *suspicion* that such assistance will not be furnished), it will tend to defeat the pre-emption right *altogether*, unless those improvements, by showing the Indians how small a portion of their lands, under proper cultivation, will suffice for their ample support, should induce them to part with the residue in exchange for a full supply of domestic animals, implements of husbandry, and other necessaries adapted to their improving condition; and this, as I some time ago intimated to Mr. Morris, appeared to me to afford the only chance of extinguishing the Indian title to any of the lands he had bought of Massachusetts.

“With respect to the Cayugas’ reservation, I had determined to give no countenance to a lease of it. John Richardson applied to me about it before the Indians arrived. I told him the pre-emption right was with the State of New York; that, if the Cayugas could lease it for five years, they might for ten, twenty, a hundred, or a thousand, and thus defeat the pre-emption right of the State. I heard no more of it until a few days before the treaty was closed. Then the

Cayuga chiefs and Richardson made their applications, and then I was informed that a law of the State (passed, as suggested, in consequence of the long lease obtained of the Indians by John Livingston and others) allowed of leases for any term not exceeding twenty-one years; and that, at the treaty last year at Fort Stanwix, Governor Clinton expressly assured the Cayugas that, if they pleased, they might lease their lands. The chiefs discovered much anxiety, and were importunate (the Fish Carrier, their head chief, in particular) to have the lease accomplished. I asked for the law referred to; the statutes were produced, but those at Newtown did not reach down to that session of the legislature in which it was said the law had been enacted. I was further informed that, at a late session of the York legislature (I think the last winter), a petition had been preferred in behalf of a lessee from the same Cayugas for the ratification of a lease of a small tract of land lying on the water communication of the Seneca and Cayuga Lakes, for the term of fifteen years, and that the Assembly said a legislative sanction was not necessary, *the lease being for a term less than twenty-one years.* All this information was repeated to me in such a manner as to afford a strong presumption of its truth; yet, that I might have all the evidence which the case would then admit of, I made inquiry of Colonel Brinton Paine, one of the Judges of the County Court at Newtown, and he generally confirmed the information above received. I then ratified the lease, as stated in my report, grounding the act on the information, and expressly referring to it. I have not a copy of the lease or of the ratification: the latter I wrote when I was in a very great hurry; I believe the last day I was on the ground; and in transcribing it from my rough-draught I made divers alterations, which made the rough-draught useless. The inducements to this transaction were similar to those in the case of the assignment to Allen's children. The ratification of that assignment I subjoin, as copied from my rough-draught, in which I do not remember that any alterations were made.

“The foregoing detail I have given, as the matters rest upon my mind. I wished to have avoided meddling with them, but I could devise no way of doing it without exciting

or confirming jealousies which it was the great object of my mission to prevent or remove.

“I might have mentioned that Mr. Allen declared that he would make to Messrs. Morris and Ogden a reasonable compensation for their pre-emption right to the lands assigned to his children.

“TIMOTHY PICKERING.”

In his transactions at the Painted Post it is clear that Colonel Pickering did no more than his duty. No sale of lands by Indians was allowed by law, except in the presence of an “agent,” or other suitable and authorized officer of the United States, whose duty it was to see that no fraud was practised upon the Indians, and that they understood the import and extent of the bargain they were making. Colonel Pickering acted in this capacity, as the representative of the United States, in the cases respectively of the “lease” and the “assignment” mentioned; and his “ratification” was simply a “certificate” that matters were justly understood by the parties concerned. As to “pre-emption rights” to Cayuga lands, he made all the inquiries possible in the case, acted upon the best attainable information, and with fidelity to the public service. In all other respects he was strictly guided by his instructions.

But certain persons in New York, interested in pre-emption rights to Indian lands in that State, threatened to raise a clamor against the treaty, and especially the particular acts of the Commissioner above referred to. The clamor was thus appeased. The Secretary of War wrote a letter to the Governor of New York, August 17th, 1791, disavowing the acts of the Commissioner so far as related to the “assignment” of certain Seneca lands to the daughters of Ebenezer Allen,

and the “lease” of Cayuga lands to John Richardson, on the ground that “the said acts of the said Commissioner were unauthorized by his instructions.” The Secretary intimates that, after all, the interests of New York may be best subserved by suffering the arrangements complained of to be carried into execution. He further applauds, upon the whole, the conduct of the Commissioner, as having manifested “ability and judgment,” and says that “good consequences may be expected to flow from the council.”

The President of the United States testified his sense of the value of the Commissioner’s service by appointing him that very week Postmaster-General.

Having vindicated his proceedings to the satisfaction of Washington, and received the express commendation of the Secretary of War, Colonel Pickering appears to have been perfectly willing, if thereby New York could be appeased and the public good subserved, to have the particular acts complained of nominally disavowed, on the pretext that there was no *specific* authority for them in his “instructions.” This was indeed true, and therefore he acquiesced in its being said; although, as he had demonstrated, the general tenor of the instructions and of the directions involved and referred to in them made it his duty to do what he had done.

The following passage of a letter from Colonel Pickering to President Washington, dated “New York, August 27th, 1791,” gives the sequel of the whole matter, thus:—

“Whilst at New York I waited upon Governor Clinton. He had received General Knox’s first letter, expressing, on the part of the United States, their disavowal of the public

sanction given by me, at the late Indian treaty, to the assignment of land to the two Indian children of Ebenezer Allen, and to the lease made by the Cayuga chiefs to John Richardson of the tract of land called the Cayuga Reservation. He had also received a second letter from General Knox, enclosing a copy of my letter, in which I gave a more particular account of the *grounds* and *inducements* upon which this public sanction was given, than I had rendered in my report. A copy of that letter he (General Knox) told me he would lay before you, for I felt a solicitude that you should be informed of the facts therein detailed.

“ Governor Clinton showed no symptoms of dissatisfaction with the steps I had taken relative to the Cayuga lease. I observed to him that perhaps the terms I had used, in my report and letter, might have led to some misapprehension of the force or effect of the public sanction given to the conveyances before mentioned; that they amounted to no more than this, — certificates by the Commissioner of the United States that, at a public treaty, held under their authority, those conveyances had been executed by the chiefs of the Seneca and Cayuga nations respectively; and that such certificates could neither add to nor diminish the validity of the *titles* purported to be conveyed by the deeds themselves, like the acknowledgments of ordinary deeds, in ordinary cases, before certain magistrates, which are required by the statutes of several of the States, but which in no way affect the *title* of the lands expressed to be conveyed. To the justness of which ideas he readily assented. In the course of the conversation he said (what I had concluded to suggest to him as expedient) that he should not, *at present*, take any step in the affair which should hazard the exciting any uneasiness in the minds of the Cayuga chiefs.”

The particulars of this transaction have been given, because they reflect the highest credit upon the several parties, including Governor Clinton. If all persons engaged in the administration of public business were to manifest the same readiness to make concessions and afford satisfaction; to take back what may have given

rise unnecessarily to unpleasant apprehensions ; to correct promptly what may be regarded as an error, or to acknowledge an inadvertence, — many controversies and animosities would be prevented. A disposition to come to a friendly understanding itself extinguishes strife, and contention may be left off “ before it be meddled with.”

In the treaty made by Colonel Pickering with Indians belonging to the Six Nations, at Canandaigua, November 11th, 1794, is this passage : —

“ With a view to promote the future welfare of the Six Nations, and of their Indian friends, the United States will add the sum of three thousand dollars to the one thousand five hundred dollars heretofore allowed them by an article ratified by the President, on the 23d day of April, 1792, making in the whole four thousand five hundred dollars, which shall be expended yearly, for ever, in purchasing clothing, domestic animals, implements of husbandry, and other utensils, suited to their circumstances, and in compensating useful artificers, who shall reside with or near them, and be employed for their benefit.”

It will have been noticed that, in his letters to his wife, he mentioned that, on his return from Canandaigua, he would be detained at Oneida a few days on business. The business was the negotiation of a separate treaty with the Oneida, Tuscarora, and Stockbridge Indians, dwelling in the country of the Oneidas. It was signed at Oneida, December 2d, 1794. The preamble is as follows : —

“ Whereas, in the late war between Great Britain and the United States of America, a body of the Oneida and Tuscarora and Stockbridge Indians adhered faithfully to the United States, and assisted them with their warriors ; and, in consequence of this adherence and assistance, the Oneidas and Tuscaroras, at an unfortunate period of the war, were driven from their homes, and their houses were burnt and their prop-

erty destroyed ; and, as the United States, in the time of their distress, acknowledged their obligations to these faithful friends, and promised to reward them, and the United States, being now in a condition to fulfil the promises then made, the following articles are stipulated," &c.

The treaty goes on to state that the sum of five thousand dollars shall be paid by the United States, to compensate for damages done to the property of the said Indians by the common enemy, and contracts as follows : —

" For the general accommodation of these Indian nations, residing in the country of the Oneidas, the United States will cause to be erected a complete grist-mill and saw-mill, in a situation to serve the present principal settlements of these nations ; or, if such one convenient situation cannot be found, then the United States will cause to be erected two such grist-mills and saw-mills, in places where it is now known the proposed accommodation may be effected. Of this the United States will judge.

The United States will provide, during three years after the mills shall be completed, for the expense of employing one or two suitable persons to manage the mills, to keep them in repair, to instruct some young men of these nations in the arts of the miller and sawyer, and to provide teams and utensils for carrying on the work of the mills.

" The United States will pay one thousand dollars, to be applied to building a convenient church at Oneida, in the place of the one which was there burnt by the enemy in the late war."

At that early period of the government, the co-operation and influence of the Society of Friends were sought in negotiations with Indians. The instructions to Messrs. Lincoln, Randolph, and Pickering, on their mission to the north-west tribes, have these articles : —

" The Society of Friends here, with the approbation of the President of the United States, decided to send some of their respectable members, in order to contribute their influence to

induce the hostile Indians to a peace. They are not, however, to confer with the Indians upon any subject of importance until they shall have previously communicated the same, and received your approbation.

“The Reverend John Heckewelder, a Moravian teacher, who resided many years among the Moravian Indians of the Delawares, will accompany you, in order, also, to use his influence towards a peace. He well understands the Delaware tongue, and, although he is unwilling to act as a common interpreter, yet you may rely upon his ability to correct others, and prevent imposition. His knowledge of Indian customs and manners may be of great use in your negotiations.”

The views of Colonel Pickering, in which he was fully supported by Washington, as to the course to be pursued by the United States in its relations to Indian tribes, are apparent from the foregoing extracts from his correspondence and other papers. He felt that they were to be treated with the utmost justice, care, and benevolence; their rights held sacred; and all communications with them, in negotiations and otherwise, should be frank, open, and explicit. He regarded it as the great duty the government owed to itself, and to them, to civilize them. He was convinced that this could only be done by steadily and persistently pressing among them the practice and the arts of husbandry. He thought that Indian lads and young men ought, by government aid, to be induced to come among the whites for education, and not placed in the colleges or higher seminaries; but, receiving only the rudiments of school learning,—reading, writing, and arithmetic,—be mainly trained to such habits, tastes, knowledge, and arts, as would fit them for the occupations and management of farms. He thought that in this way the object could

be gradually, but surely and ultimately, attained; and that they could be persuaded to accept of suitable farms for every head of a family or grown-up able-bodied man; and the value of the vast residue of their reservations be appropriated to supply them with the necessary stock and utensils, and provide persons to live among them, to instruct them in the methods of agriculture, and give them, in this direction, the requisite superintendence and aid. The object he aimed at was to break up their wandering, unproductive, and, for the most part, indolent tribal life, and impart to them a stimulus to industry, by securing to every man a separate occupancy and possession of land, resting upon a sure and absolute title,—in a word, to transform them from roaming hunters into freehold farmers. This was indeed a difficult thing to be done. The habits of male Indians prevented their having ever turned their thoughts to the care of land. Their part of the work of life was to take the war-path when summoned by their chiefs, and to spend a large portion of every year in pursuit of game, away from home, and in far-distant forests. What fixed property, in the shape of dwellings, and what little culture there might be of land, were left to the women. The descent of land in the female line was, for this reason, under the circumstances, a wise and just provision; but made it harder to introduce proper agricultural labor, the men being wholly disused to and estranged from it. Still, Colonel Pickering was firm in the faith that it could be done, by persevering and judicious measures on the part of the government.

Indeed, it must be admitted that this policy has never

yet had a fair trial. The passion, prevailing at all times in this country, to get possession of land, has operated against attempts to attach Indians permanently to the soil. Pre-emption rights, claimed by the general government and the several States, and by them conveyed to individuals, and through them to innumerable speculators, have created a mighty influence adverse to the continuance of the Indians on their lands. The disposition of the United States, and of the particular States, to derive as much revenue as possible from the public domain, has operated in the same manner, and the Indians have been thus extruded. Pushed from one reservation to another, they continue to this day dangerous hordes of untamed barbarians, wrought into permanent hatred by constant provocations, reciprocated between them and out-settlers of the white race; and prone to acts of plunder, destruction, and bloodshed. Indian depredations, wrongs committed or suffered, and wars with, or among them, are perpetual.

Now that civilized communities have spread and stretched so far into the breadth and depth of the continent, and thousands of travellers and millions of property are passing daily across it; while the forests are becoming removed or thinned off, thereby depriving the Indians of the game on which they subsist, and rendering them desperate, reduced to the condition of mere marauders, receiving into their bosom outlaws and ruffians from all quarters, — it is too evident to be much longer kept from being realized, that the Indian problem must be solved. The policy of Washington's administration must be enforced with all the energies of the government. The alternative is beginning to be clear to

all: agriculture or extinction is a necessity put upon the Indian. He must be fastened to the soil, and the labors and arts of husbandry take the place of the wild habits of savage life. The degree of regulated and legitimate force needed to bring this about will be justified by a comprehensive prospective humanity.

Colonel Pickering, to his dying day, was deeply interested in the civilization of the Indian tribes, to be brought about finally in this way. There was no part of his long and varied public service to which he attached greater importance, in the retrospect, than his Indian negotiations. And whatever views may be entertained as to the best methods of treating the native tribes, or the possibility in any way of civilizing them, all must, at any rate, admit that by his influence over the Six Nations, flowing from the confidence with which he inspired them, he kept them from joining the north-western tribes in their war with the United States at that critical period ; a result the value of which cannot be over-estimated.*

* Besides innumerable documents, relating to Indian affairs, among Colonel Pickering's miscellaneous bound manuscripts, deposited with, and in possession of, the Massachusetts Historical Society ; Vols. 59, 60, 61, and 62 consist wholly of papers connected with his Indian service ; letters to and from him, General Knox, Heckwelder, the Rev. Samuel Kirkland, Captain Hendrick Aupaumut, a chief of the Stockbridge Indians, and many others ; minutes of speeches made to and by Indians ; and accounts and memoranda of all sorts. Much interesting information may be gathered from them relating to different tribes and their customs, and personal details concerning Red Jacket, Brant, and other prominent warriors.

CHAPTER III.

National Parties. — Presidential Electors. — State Rights. — The Congress of the Confederation. — The Senate of the United States. — Foreign Influence.

1787-1873.

IN a country where free institutions are established, divisions of the people into opposing parties will always be likely to occur, occasioned by differences of opinion respecting public men or measures; but, if things are left to take their natural course, these divisions will disappear, as questions are settled, and similar ones reappear, in new forms and composed of new materials, differently separating the people into antagonistic ranks on new questions, as they arise from time to time.

But a permanent division of the people into two or more organized parties, aiming at the exclusive possession of its power and entire control of its whole political action, on all questions and through all time, is not a necessary, legitimate, or salutary incident or result of a Republican system. Such a division of the people, however, early grew up in the history of the United States of America, assuming the name and authority of national parties, coextensive with the area of the country, self-perpetuating, and compelling every citizen to array himself on one side or the other, under the penalty of losing his share of the common sovereignty by having his suffrage deprived of its weight. Such

parties were not contemplated by the founders of the Federal government, are inconsistent with its nature, and have perverted its action ; in effect, they have superseded it by substituting in its stead a system hostile to its provisions, have brought all public men into false positions, and impaired the chief privileges and rights of the people by interfering with the freedom and independence of their vote, dictating to whom it must be given in order to be counted.

The country, in consequence of the sway thus assumed by these outside combinations, is not governed by the official persons provided for in the Constitutions of the United and of the several States, elected, professedly, to make and administer the laws ; for they themselves are created and overruled by self-constituted gatherings called Conventions. The people, drawn into either one or the other of the two contending parties, are kept in a state of perpetual hostility ; one half of them led to hate and vilify the other half. Leading men, on both sides, and every individual, who in any way exposes himself to become a mark, are denounced and defamed ; and the history of the country presents scarcely a name untarnished by the calumny of party. With the single exception of Washington,— and even he was beginning to be aimed at when he bid farewell to the political scene,— every great and honored patriot or soldier, who shared in conducting the country to Independence, became the object of party rancor, and involved in the general alienation ; and the altercations and conflicts then introduced have continued, the whole people being kept in a state of agitation and contention, rising to special height at every presidential election, but never wholly subsiding.

As the period is now approached when Colonel Pickering became necessarily implicated in these party animosities, from official positions in successive Cabinets and both Houses of Congress, and as his temperament, faculties, and power of character gave him conspicuous prominence in them, it may be best, at this point, to present a more particular account of the origin and character of the national parties generally described above.

The work of preparing and establishing a Federal system of administration, which — without abolishing the pre-existing States, or trenching on their sovereignty more than was absolutely necessary for the end in view — would resolve them into a single government, to take its place as an equal sovereign among the nations of the earth, was no easy task: from the very terms employed in describing it, and the nature of things, all but impossible. To have substantially accomplished it, was an achievement in political science without a parallel in the history of the world.

When, indeed, the previous history of the American States is taken into consideration, and the circumstances attending the attempt to mould them into a single nation are carefully noted, the final accomplishment of the design excites in a thoughtful mind a sentiment of admiration not unmixed with wonder. Few great and beneficent events in history more strikingly suggest an over-ruling Providence guiding and controlling the movements of a favored people.

The Colonies, from their origin, had been perfectly distinct political communities. Whenever any of them had been led temporarily to enter into Confederation, in

the course of their history, every precaution had been observed to preserve their independence of each other. The necessities of the Revolutionary crisis compelled them to combine their energies and act together ; but they still maintained the character of distinct sovereign States. The Confederation then formed had continued to conduct their affairs since the termination of the war. No principle was ever more deeply and thoroughly ingrained in the mind of a people than that of State allegiance had become in theirs.

When foreign relations in the then condition of the world, the interests and exigencies of commerce, the development of internal resources, and the business and conveniences of the people, required them to become one nation, it was obvious that, to a considerable extent, the sovereignty of the several States would have to be relinquished. It was extremely doubtful whether the States could be induced to submit to this sacrifice of their rights. It appeared to present an insurmountable obstacle, and threatened to prove such at every step of the protracted and complicated process by which alone the end could be reached.

In framing a government for the whole country, a legislative power was to be provided ; and enactments made by it, in pursuance of the Constitution, would have to be regarded and executed as the supreme law of the land. This was palpably a transferrence of sovereignty from the States to the Union ; and so shocked the prejudices, violated the usages, and awakened the apprehensions of many, that it became necessary, as an equivalent and to reconcile them to the change, to preserve, notwithstanding, as far as possible, the powers

and rights of the States. The Tenth Additional Article of Amendment was pledged and established to this end. "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

The result is a twofold sovereignty in the United States, that of the general government within the limits prescribed by the Constitution, all comprehensive in its range and supreme in its sphere ; and that of the States, severally, embracing the powers remaining to them and to the people within them. It follows that every person possesses a double citizenship, that of a nation and that of a State, enjoying the privileges of each, and having a claim to protection upon both. The American citizen is not a single but a dual person. He exists and acts in two capacities, different but inseparable : in one the United States is his country ; in the other the particular State to which he belongs. From fealty to each he can never be released. To erect a government on a basis so abstract and ideal, requiring so nice a distinction as this, was hard to accomplish. It was difficult to make the people understand it then, as it is to make foreigners understand it now. But in this way only could the problem be solved. It is the key to the political system of the United States.

Another great obstacle in establishing the Union was its indissolubleness, if once formed. A State entering it could not retrace its steps. An attempt to secede from it would not, as has been incorrectly said, be rebellion, but dismemberment ; and no country will consent to have one or more of its component parts become a foreign power, and thus suffer an enemy to get a lodgement in its bosom.

With all these difficulties in the way, there was a wide-spread feeling that the public necessities required a change; and the movement was begun. The caution, deliberation, and wisdom which marked the proceeding are worthy of all and perpetual praise.

On the 21st of February, 1787, the Congress of the Confederation adopted a resolve, that "as experience hath evinced that there are defects in the present Confederation," and as several of the States, and particularly the State of New York, in express instructions to their Delegates in Congress have suggested a Convention to devise a remedy, "in the opinion of Congress, a Convention of Delegates should be appointed in the several States, for the sole and express purpose of revising the articles of Confederation," so as "to render the Federal Constitution adequate to the exigencies of the government, and the preservation of the Union;" and the second Monday in the ensuing May was fixed upon as the day when said Convention should assemble. Congress communicated the resolve to the Governors of the several States, who laid it before their respective legislatures, which, one after another, all assented to the recommendation, and severally appointed Delegates. The Convention adopted a plan of government. Although in one sense a revision of the articles of Confederation, it was an entire recast of them. It was reported to Congress, which body unanimously resolved that it should be transmitted to the several legislatures, to be by them "submitted to a Convention of Delegates chosen in each State by the people thereof." Conventions were accordingly called in each State by their respective legislatures, to determine whether to adopt it. By the terms

of the instrument, it was to be the established government over them when ratified by nine States.

Delaware ratified it on the 7th of December, 1787, leading the way. New Hampshire ratified it, the ninth State, on the 21st of June, 1788; and the Constitution of the United States became, from that day, the supreme law of the land. Virginia came in on the 26th of June, 1788; New York, on the 26th of July, 1788; North Carolina, on the 21st of November, 1789, and, finally, Rhode Island, on the 29th of May, 1790. The union of the old thirteen Colonies was then complete, and a government established, whose foundations have grown firmer, and whose dimensions have expanded from that day to this. Never was one more carefully constructed, and none, probably, will be found so durable.

In amending and revising the articles of the Confederation, and producing the Constitution, of the United States, the process passed the ordeal of Congress twice, of the several State legislatures twice, of a National Convention, and of Conventions in each of the States. It is universally allowed that the General Convention that framed the Constitution was an eminently wise and able body of men. There was great diversity of opinion among them, but a truly patriotic spirit, and an absence of party passion. They all felt the difficulty of making a nation out of separate States without endangering the public liberty, or sacrificing pre-existing rights. They trod their way cautiously, and sought to devise the best possible plan. The Conventions in the several States, called by their respective legislatures, to act upon the question of the adoption of the proposed Constitution, contained a large representation of the ablest and most

influential citizens, and were scenes of most earnest debate. From the opening of the year 1787 to the 21st of June, 1788, when its ratification by the ninth State established the Constitution, the entire country was agitated by the most intense excitement on the subject. On the one hand, there was a profound conviction that the welfare, prosperity, union, and even existence of the country, demanded a more efficient government; on the other, an equally strong apprehension that the independence of the States was threatened, and that all their rights and the liberties of the people would be sacrificed if the new plan of government should be adopted. No man could foresee which of these conflicting sentiments would prevail. Doubt hung over the issue through the whole protracted operation. Obstacles were raised at every stage, and everywhere. In several of the States, the opposition appeared to be overwhelming; but it strangely subsided as the final question approached: and the movement went on to its consummation. A deep, irresistible under-current carried it through.

Two considerations operated respectively upon the larger and the smaller States with prevalent force. Under the old system, the former were not allowed any advantage in virtue of their greater population. The House of Representatives, provided in the new system, would give them a just weight in proportion to their numbers. On the other hand, in the less populous States, the conclusion was reached by many that it was best for them to concur in an arrangement by which, in the proposed Senate, the higher and more permanent branch of the legislature, their equality would be preserved and secured. Delaware, the smallest, and

Pennsylvania, one of the largest, of the States, were accordingly the first to ratify the Constitution. Both descriptions of States, as experience has proved, were right in their expectations. The larger ones have enjoyed a just influence in the government; and the dignity and rights of the smaller have been effectually sustained. Massachusetts, in the number of its free inhabitants, then led the column of the States. With slaves taken into the count, Virginia alone preceded her. Those two States, for the first forty years of the history of the United States under the Constitution,—for ten consecutive terms,—had the Presidency, and, for the first twelve years, the Vice-Presidency. Through its whole period, to this day, the smaller States have stood as equals with the largest on the floor of the Senate,—a body without whose concurrence no enactment of law can be made, no appointments to office confirmed, and no treaty concluded; and in which alone is lodged the power of trial in cases of impeachment, and thereby of removing all officers, from the President down.

While it may be truly said that the framers of the Constitution met with wonderful success, and the plan of government they devised has worked admirably for nearly a century, *there is one exception to be made*; and that is, the method they contrived to provide a chief executive head, a President of the United States. They were more perplexed as to this point, than any other part of their system; the design they finally agreed upon, has not been realized; and, indeed, the machinery they so ingeniously contrived to carry it into effect has been entirely perverted in its operation. But the institutions of the country, being so deeply rooted in true Republi-

can principles, have withstood and survived the mischiefs that have flowed from the failure and perversion of this part of the constitutional plan. If the ideas of its framers, in this respect, had been fulfilled, the history of the United States unequalled as, upon the whole, it has been by that of any other nation, would have been still more glorious.

Although the idea of a monarch could never have been tolerated for a moment, and was not entertained by any one, all recognized the necessity of an efficient executive head of the nation, clothed with some of the powers of a sovereign. How to provide for it was the question. Of course it was universally allowed that the chief magistrate must, by some process, in a government of the people, be selected by the people. It was further conceded that his tenure of office must have a limited term. How long that term should be was a topic of discussion. It was finally agreed that it should be four years. As the people were to fill the office by their action and by new appointments as the quadrennial periods expired, it was necessary to provide in what manner the selection should be made; and the conclusion reached was that it was to be by election. No difficulty was apprehended while Washington remained on the stage of life and was willing to serve in the office. Perhaps there might be a sufficient concurrence of the general suffrage to effect a choice of others who, in the great crisis of the Revolution, in council, the field, or diplomatic service, had made their names familiar and dear to the whole country. But there was a conviction that, after they had passed away, an election by the people would be found almost impracticable. It was thought

that the great body of voters in the several States would have but little knowledge of persons suitable for the office beyond their respective limits, or the section of country to which they belonged. The contrivance of electors was therefore suggested and adopted.

Instead of the whole people voting directly, in primary assemblages, for President or Vice-President, it was provided that in each State they should choose a limited proportionate number of persons to be called electors who should vote in behalf, and in the place of, their respective constituencies. It was assumed that in every State the most intelligent men would be selected for this service, who would be likely to have more information, as to the public characters of the whole country, than the people generally in any particular part of it would possess or could obtain. It was supposed that the persons chosen as electors, when convened in their respective colleges, would take the subject into deliberate consideration, survey the whole ground, in free conference give and receive suggestions and information as to the qualifications of particular persons for the high stations in view, in the then situation of the country, and thus prepare themselves to express a choice by their votes. All this was expected of them, as is shown in the name by which they were called, electors. The duty assigned them was to select from the whole country two citizens who, in their judgment, all things considered, taking into view the best interests of the United States, were most eminently fitted for the executive administration of affairs.

When the votes of all the colleges should be collected and counted, the person found to have the greatest num-

ber of votes, if a majority of the electors, was to be declared President, the one having the next highest number of votes, whether a majority or not, was to be declared Vice-President. Theoretically the plan was admirable, and, if carried out according to its design, would have been all that could be desired. The wit of man could not then devise, and perhaps never can devise, a better one, if the respective offices are to be filled by election. Practically, however, the plan soon began to work, under certain laws of human nature not sufficiently estimated by its contrivers, in a manner utterly to defeat its purpose. By analyzing a few of the earliest presidential elections, it will be seen how party gradually usurped the government, transforming the electors from agents, exercising intelligent deliberative functions, into mere automatons.

Ten States participated in the first election. Rhode Island, New York, and North Carolina had not seasonably adopted the Constitution, Vermont had not become a State, and Maine was a part of Massachusetts. There were sixty-nine electors, each of whom gave one of his votes to Washington, and the other to different persons. John Adams received thirty-four. Of the remaining thirty-five, John Jay received nine, no other person more than six. The electors on this occasion appear to have discharged their office, in the spirit and according to the intent of the Constitution. Twenty of the twenty-two New England votes were given to Mr. Adams. He was well known personally and professionally in those States, and it was quite natural for their electors to have preferred him, particularly appreciating his great abilities, eminent patriotism, and invaluable services in the old

Congress and at foreign courts during the war of Independence; similar considerations gave him eight out of the ten votes of Pennsylvania, five out of the ten votes of Virginia, and one from New Jersey.

At the second election, as Mr. Adams was the incumbent, and had for four years been associated with Washington as his Vice-President, he was sustained by a majority of the electors, although New York, Virginia, North Carolina, and Georgia voted solidly for George Clinton of New York.

At the third election, Washington being no longer in the political field, Adams had seventy-one votes, Jefferson sixty-eight, Thomas Pinckney of South Carolina fifty-nine, Aaron Burr of New York thirty, and the residue were scattered among nine other persons. A critical examination of this election gives indications of party arrangements but imperfectly carried out.

At the fourth election the two national parties show themselves quite generally organized; most of the electors seem to have been previously pledged; all but four of the colleges voted as a unit. Jefferson and Burr had each seventy-three votes, Adams sixty-five, Charles Cotesworth Pinckney of South Carolina sixty-four, and John Jay one from Rhode Island. The difficulty that arose from the circumstance that Jefferson and Burr had each a majority, but an equal vote, led to an alteration of the Constitution, so that the electors, instead of voting for two persons, without designating one for President and the other for Vice-President, should "name in their ballots the person voted for as President, and, in distinct ballots, the person voted for as Vice-President," and make out "distinct lists" of them respectively. The

amendment to this effect was vigorously opposed, but finally carried, the two-thirds required by the Constitution being obtained in the House of Representatives by the Speaker's vote.

From that moment, with the exception of the term following Mr. Munroe's administration, when some derangement was occasioned by what was called "the era of good feeling," national party organizations have elected the President of the United States. The form of appointing electors still continues, but it is a mere name. They are, in no sense, choosers of President or Vice-President, but exercise no more than clerical, recording agency.

For some time these party organizations effected their purpose through Congressional caucuses, but, for nearly the last half-century, through national political conventions, not recognized in the Constitution, nor dreamed of by its framers, without any authority of law, and acting entirely outside of the government. Their control extends through all departments. They determine the nominations and elections of the members of both houses of Congress, and the appointment of all officers, judicial, diplomatic, or administrative ; and extend their sway over the State elections, reaching local and municipal affairs. All executive officers, Presidents of the United States, and Governors of particular States, all legislators, congressional or State ; in fact, every official person, having gained their places by professing allegiance to party, are bound in honor to obey its behests.

At the close of the day, when the people have only chosen electors, the telegraph instantly announces the election of President and Vice-President, and the next

morning papers, the world over, give the details, a month before the electoral colleges meet, and three months before their votes are opened, counted, and announced. The frame constructed in the Constitution is an empty shell.

For this state of things there appears no remedy, and from it no escape, so long as the Presidency is an elective office. It is sometimes suggested that a direct, immediate vote of the people is desirable; but this would not alleviate, but aggravate, the evil. It would only lead to a more thorough, exact, and complete organization of national parties; and further, it would destroy the right and power of the States, as such, in the election, by depriving them of the equal contribution they make, *as States*, to the electoral colleges.

The truth is, that so long as the selection of a President depends upon the choice of the people, either by direct universal suffrage, or through agents delegated by them for the purpose, the laws of human nature will work the same result. When the electoral votes were opened and counted for the first time, it was seen that John Adams obtained the Vice-Presidency by the concurrence of three States, in giving him nearly a consolidated vote. It became evident that, to afford any one person a sufficient number of votes to elect him, there must be some concerted combination; and there was every inducement to make that combination as extensive as possible. It involved, as a necessary element, that electors should be pledged. The consummation was early reached in the formation of parties, which, including more and more of the States, until all were comprehended, became coextensive with the nation. The

result was inevitable, and national parties may be regarded as unavoidable and perpetual in a Republic the executive head of which is created by election.

Colonel Pickering, writing in the later years of his life, says:—

“In the mode devised by the National Convention, as exhibited in the Constitution, it was presumed that the electors would consist of well-informed citizens, who should exercise their own judgments in selecting candidates for the offices of President and Vice-President; but, in *practice*, that plan has become a *nullity*.” “The choosing of the President and Vice-President by the intervention of electors is a *mere farce*.” “The framers of the Constitution, an assembly of really great men, that is, having among them some of the ablest and wisest men in the nation, seem to have thought the mode they prescribed for choosing the President and Vice-President a sure way of placing in those offices able and faithful men, to the exclusion of all intrigue and cabal in the choice. It was, indeed, a pleasing theory, but the experience of forty years has proved it to be visionary.”

Among his manuscripts is a scheme he projected to secure suitable persons to be chosen to the offices of President and Vice-President, the leading features of which are as follows: The term of service to be six years. The election to be by concurrent votes of the two Houses of Congress; no member of either House at the time of the election, or within the two immediately preceding years, to be appointed to any office under the authority of the United States until two years after said election; and the choice of President and Vice-President to be confined to persons who had been at least four years members of the Senate of the United States.

Among the reasons given for his plan are the following :—

“ The people of the United States being immediately represented in the House of Representatives, and the States in the Senate, the National and Federal principles — essential features of the Constitution — are combined in the election of the two first officers of the Union.

“ Seeing the President and Vice-President are to be selected from those who have been Senators, the most distinguished citizens will be candidates for seats in the Senate.

“ It may fairly be presumed that no person of eminent abilities, and who is willing to exert them in the service of the country as a Senator in Congress, will be overlooked in the State to which he belongs. This fact, assumed on the ground of probability approaching to certainty, obviates the objection, should it be made, that the sphere of choice to the two great offices of government is too much circumscribed by limiting it to those who have been Senators of the United States.”

These ideas of Colonel Pickering have much weight ; but he probably perceived that his plan, after all, could not wholly, or to any considerable extent, cure the evil. An election by the votes of the two Houses of Congress would leave the field still open to “ intrigue and cabal,” through the agency of national parties ; and perhaps his final judgment is expressed in the following passage :—

“ One amendment is alike practicable and desirable, — to render the President not eligible a second time. Then, having nothing more to expect from the people or their representatives in Congress, he may be expected to act with independence, and be more likely to consult the public welfare. But how can the absolute fidelity of a President be *assured*? It is an impossibility. All that the wisest plan can effect will be only an *approximation* to that desirable fidelity.”

The selection of a President, if controllable by the will, and determinable by the arrangements, of men, will perpetuate national parties, rendering null and void any constitutional provisions or amendments.

James Wilson, of Pennsylvania, one of the ablest and wisest men of the country, in the Convention that framed the Constitution (as appears in the "Debates" of that body, reported by Madison), on the 24th of July, 1787, said: "As the great difficulty seems to spring from the mode of election, he would suggest a mode which had not been mentioned. It was that the executive be elected for six years by a small number, not more than fifteen, of the national legislature, to be drawn from it, not by ballot, but by lot, and who should retire immediately, and make the election without separating. By this mode, intrigue would be avoided in the first instance, and the dependence would be diminished. This was not," he said, "a digested idea, and might be liable to strong objections." Gouverneur Morris, a statesman of eminent talents, great observation of governments, and much study of political science, said, "he was not prepared to decide on Mr. Wilson's mode of election, just hinted by him. He thought it deserved consideration. It would be better that chance should decide, than intrigue." Mr. Wilson then presented the idea in a formal proposition, leaving in blank the number of years of the President's term of office, and also the number of persons to be drawn by lot to make the election. Rufus King suggested that "the lot might fall on a majority from the same State." Mr. Wilson seemed to recognize the force of this objection, and did not further press his motion.

James Hillhouse of Connecticut was one of the strong men of the first age of the Republic. On the 12th of April, 1808, he introduced in the Senate of the United States certain articles of amendment of the Constitution, which included a reduction of the term of office of the President to one year, of Senators to three years, and of members of the House of Representatives to one year, and also the abolition of the office of Vice-President. The mode proposed for the appointment of the President was as follows : —

“ In presence of the Senate and House of Representatives, each Senator belonging to the class whose term of service will first expire, and constitutionally eligible to the office of President, of which the House of Representatives shall be the sole judges and shall decide without debate, shall, beginning with the first on the alphabet, and in their alphabetical order, draw a ball out of a box, containing the same number of uniform balls as there shall be Senators present and eligible, one of which balls shall be colored, the others white. The Senator who shall draw the colored ball shall be President.”

Mr. Hillhouse explained the import and purposes of his amendments in an elaborate and instructive speech, of which the following is part of a paragraph : —

“ Party spirit is the demon which engendered the factions that have destroyed most free governments. State or local parties will have but a local influence on the general government. Regular organized parties only, extending from the northern to the southern extremity of the United States, and from the Atlantic to the utmost western limits, threaten to shake this Union to its centre. No man can be so blind but he must see, and the fact is too notorious to be denied, that such parties have commenced in this country, and are progressing with gigantic strides. The danger is great, and demands an early and decisive remedy. There is but one which presents itself to my mind ; this is, to cut off the head

of the demon. For, without a head, without a rallying point no dangerous party can be formed, no such party can exist. There is but a single point in the Constitution which can be made to bear upon all the States at one and the same time, and produce a unity of interest and action, and thus serve as the rallying point of party; and that is the Presidential election."

The history of the country, during two-thirds of a century since this speech was delivered, shows what a spirit of prophecy pervaded it. Near its conclusion he makes the following statement: —

"The sentiments I have expressed have not been hastily adopted; they are not the sudden impulse of the moment; nor do they proceed from the collision of party. They are the sober sentiments of my heart; some of which I have long entertained, and often expressed to my most intimate and confidential friends. And they are sentiments which seventeen years' experience, as a member of the Senate and House of Representatives under this Constitution, has served to impress and enforce on my mind; and, during that whole period, there has not occurred one solitary fact to disprove their correctness."

In closing, he urges the Senators to "make a willing sacrifice, on the altar of the public welfare, of all local and party feelings, of all groundless jealousy, and of whatever can keep alive divisions," and calls upon them to "come forward and repair any breach which may have been made in the Constitution, the fortress of our safety and Union," "that it may secure to unborn millions the blessings of peace and good government, and fix on a solid basis their liberty and independence."

Nothing came at the time from the proposals of either Mr. Wilson or Mr. Hillhouse. The former recognized the practical objections made to his particular

scheme, and forbore to press it; the amendments of the Constitution offered by the latter involved such extensive alterations, besides that relating to the appointment of President, that it could not be entertained. The plans of these two distinguished statesmen, like other truths, cannot be made acceptable, by any force of reason or persuasion, but only by experience. That experience has now been had, and the subject may be again taken into consideration.

Experience long ago wrought a conviction in the best minds known in our history, that such a mode of selecting a President as Mr. Hillhouse, following Mr. Wilson, had urged, ought to be adopted. After the former had retired from public life, and more than twenty years had intervened, he opened a correspondence on the subject with some of the most eminent of his former associates and acquaintances. Chief Justice Marshall, writing in 1830, says his "views of this subject had changed a good deal since 1808." "Your plan comes in conflict with so many opposing interests and deep-rooted prejudices, that I would despair of its success, were its ability still more apparent than it is." "We must proceed with our present system, till its evils become still more obvious." His views are fully presented in the following passage :

" My own private mind has been slowly and reluctantly advancing to the belief that the present mode of choosing the Chief Magistrate threatens the most serious danger to the public happiness. The passions of men are inflamed to so fearful an extent, large masses are so embittered against each other, that I dread the consequences. The election agitates every section of the United States, and the ferment is never to subside. Scarcely is a President elected, before the machinations, respecting a successor, commence. Every political

question is affected by it. All those who are in office, all those who want office, are put in motion. The angriest, I might say the worst, passions are roused, and put into full activity. Vast masses united closely, move in opposite directions, animated with the most hostile feelings towards each other. What is to be the effect of all this? Age is, perhaps, unreasonably timid. Certain it is, that I now dread consequences which I once thought imaginary. I feel disposed to take refuge under some less turbulent and less dangerous mode of choosing the Chief Magistrate; and my mind suggests none less objectionable than that you have proposed. We shall no longer be enlisted under the banners of particular men. Strife will no longer be excited, when it can no longer effect its object. Neither the people at large, nor the councils of the nation, will be agitated by the all-disturbing question, Who shall be President? Yet he will, in truth, be chosen substantially by the people. The Senators must always be among the most able men of the States. Though not appointed for the particular purpose, they must always be appointed for important purposes, and must possess a large share of the public confidence. If the people of the United States were to elect as many persons as compose one Senatorial class, and the President was to be chosen among them by lot, in the manner you propose, he would be substantially elected by the people; and yet, such a mode of election would be recommended by no advantages which your plan does not possess. In many respects, it would be less eligible.

“Reasoning *a priori*, I should undoubtedly pronounce the system adopted by the Convention the best that could be devised. Judging from experience, I am driven to a different conclusion.”

Chancellor Kent wrote as follows: “The popular election of the President (which, by the way, was not intended by the framers of the Constitution) is that part of the machine of our government that I am afraid, is doomed to destroy us.” “Our plan of election of a President, I apprehend, has failed of its purpose, as it was

presumed and foretold that it would fail, by some of the profoundest statesmen of 1787. We cannot but perceive that this very presidential question has already disturbed and corrupted the administration of the government, and cherishes intrigue, duplicity, abuse of power, and corrupt and arbitrary measures." "Your reflections are sage, patriotic, and denote a deep and just knowledge of government and man."

One of the most distinguished characters in the political annals of the United States, is William H. Crawford of Georgia. His manly independence of character, and remarkable good sense, secured the confidence and regard of his associates, and of the people, to an extraordinary degree. His name would have been on the roll of Presidents, had not the machinery of his party given the office continuously for twenty-four years, to the Virginia succession, from the term of John Adams to that of John Quincy Adams.

Writing to Mr. Hillhouse, Mr. Crawford reminded him that he seconded, in the Senate, his resolution proposing the amendment, though, at the time, he had not made up his mind on the subject, but states that "reflection and experience" had convinced him. He says, "I am now entirely convinced that great talents are not necessary for the chief magistracy of this nation. A moderate share of talents, with integrity of character and conduct, is all that is necessary. Under the principle of your amendment, I think there is little probability that a President would be elected weaker than —, or with less practical common-sense than —." "The view which ought to decide in favor of the principle of your amendment is seldom taken." "Elective chief

magistrates are not, and cannot, in the nature of things, be the best men in the nation ; while such elections never fail to produce mischief to the nation." "The more I reflect upon the subject, the more I am in favor of your amendment."

The foregoing facts and considerations, and the authority of such names, commend this subject to respectful attention.

The lot, to determine which of two or more objects or persons to select, where all other means of choice are impracticable or very difficult, has been in use from the earliest ages, and in all parts of the world. It was much used in the Hebrew administration, one of the wisest systems of government recorded in history, and the most effectual in giving permanency to a nation. "The lot causeth dissensions to cease, and parteth between the mighty."

When the apostles felt it necessary to fill a vacancy in their body, they looked after qualifications in the first instance. Finding that there were two persons, each of whom had supporters in their number, they thus avoided strife and dissension. "Of these men which have companied with us, all the time that the Lord Jesus went in and out among us, beginning from the baptism of John, unto that same day that he was taken up from us, must one be ordained to be a witness with us of his resurrection, that he may take part of this ministry and apostleship. And they gave forth their lots, and the lot fell upon Matthias ; and he was numbered with the eleven apostles."

The lot always has been, and still is, used in divisions of property, and the assignment of preferences. It is used in private business affairs and in public admin-

istration; in the selection of jurors; and often in the operations of government in other countries and in this. At every session of the House of Representatives in Congress, as well as in similar bodies in the States, the members draw their permanent seats by lot. When the first Congress under the Constitution assembled, the members of the Senate were divided into three classes by lot, drawing severally terms of six, four, or two years. When a State is admitted to the Union, its Senators draw by lot the class to which they are to be assigned.

In the Senate of the United States, on the 31st of January, 1800, Charles Pinckney, of South Carolina, asked leave to introduce a bill, establishing a uniform mode of drawing juries by lot in all the courts of the United States. Leave being granted, Mr. Pinckney addressed the Senate, as follows:—

“ Mr. President, I rise to introduce a measure which appears to me of the highest importance to this country. On the integrity and impartial decisions of our juries depend not only the lives and properties, but what is infinitely dearer to freemen, their privileges and characters. Your legislature and your juries are the foundation upon which your freedom must rest. I will begin by expressing my astonishment that, in framing the law for establishing the judicial courts of the United States, its formers did not only establish one uniform mode, but that, in doing so, they did not, without hesitation, give the preference to the drawing jurors by lot. I hope the House will, upon the present occasion, throw all party views and opinions out of the question; that they will recollect it is not for the present moment, or to answer any temporary purposes, this regulation is intended. It is intended to be ingrafted upon our judiciary, and remain as a bulwark, constructed to resist all the storms of power, of privilege, or of faction that may hereafter assail it. I do not hesitate to confess that I shall consider it as one of the most fortunate

moments of my life, that I have had an opportunity of first moving in a question on which the true freedom and happiness of our country so much depend. Should I succeed, even partially,—should I be the means of producing only an alteration of the present unjust and oppressive system, and lay a foundation for a complete and perfect one hereafter, it will amply compensate me for all the remarks and odium which the mover in so important a reform must naturally expect."

The bill was ordered to a second reading by a yea and nay vote, every Senator recording his name in the affirmative.

The principles on which Mr. Pinckney so earnestly urged his motion apply with similar strength, and with an infinitely larger comprehension, to the manner of selecting a President of the United States. As the head of the executive department of the government, it is as essential for the discharge of his trust for him, as for a juror, to be above the influence of popular passions, and in no wise dependent in his appointment or its continuance, upon the favor of factions, parties, or sections. Administering the laws of the whole nation, he ought to enforce them, with an even and an equal hand, upon all the people throughout the land.

It may be that the use of the lot, in some mode or shape, to select a President of the United States from among persons qualified for the station, will finally be found the one thing needful. It has never yet been presented for consideration simply and on its own merits, unencumbered with details not necessary to its fair trial. Possibly, the subject may be brought forward in a form that will be acceptable.

If, in alternate years, on the second Wednesday of February, the day fixed by law for opening, counting,

and declaring the electoral votes, the two Houses of Congress, as at present provided, should assemble in Convention, the President of the Senate in the chair, and a third part of the Senate, consisting of its first class, that is, of the Senators whose constitutional term of six years was to terminate on the ensuing 4th of March, should draw for the office, and he to whom the lot should fall be declared President for two years from the ensuing 4th of March, would it not be in all respects a good arrangement?

It would involve no other change in the organization of the system of government than the abolition of the provisions for the appointment of electors and their mode of procedure, those relating to the qualifications of the President, and an apparent shortening of his term. Every Senator would be constitutionally qualified on the approach of the close of his term, to partake in the lot, and succeed to the office.

This would secure the country against having persons entirely destitute of the requisite experience charged with the duties and clothed with the powers of the presidential office. The person, attaining to it, would have participated, during the six preceding years, in deliberating upon and consenting to the making of treaties, the appointment of ambassadors, other public ministers and consuls, Judges of the Supreme and other courts of the United States, and all officers whose appointments are not otherwise provided for in the Constitution or the law. He would, in fact, have had observation, experience, and co-operation in conducting the whole machinery and patronage of the government, and superintending the foreign policy and domestic administration of the nation. As a

member of one branch of the legislature, he would have borne his part in the framing and enactment of all laws.

In the actual exercise of the office he would have a shorter term than at present, but in that line of service his term would in reality be longer. Two years of service would be preceded by six years of preparation for it. A more favorable school of training cannot be conceived for the Presidency than the Senate, as it would then be ; the time of preparation would be much longer than the period required for a complete education for the general duties of life in colleges. The Senate would become a better and higher field of public service than it has been. The general character of its members could not fail to be raised above its present elevation, if the legislatures of the States knew, when appointing a Senator, that they were providing for the Union a man who might be, in a few years, its President, — that they were calling him to a position from which alone that great office could be reached. There would, indeed, be every motive, in every State, to send its wisest and best citizens into the Senate of the United States. The dignity of the Senate, and of the States of whose rights it is the special guardian in the Federal government, would be enhanced. The loftiest object of ambition to be obtained from the favor of the people, and from their suffrage, directly or indirectly, would be a seat in the Senate of the United States ; for its members would, in turn, take their chances for the highest prize within the reach of an American citizen. The distance in time, from obtaining a seat in the Senate before transference to the Presidency would allow all animosities and prejudices engendered in previous State and local politics to subside, and the

person attaining to the office would enter it with clean hands, an honest heart, and a mind above fear or favor.

A re-election being out of the question, the President would have no motive to enter into intrigue or management for personal ends. He would have no friends to reward, nor enemies to punish. It does not seem that any inducement could exist to exercise an influence upon him, except the public good, the preservation of the interests committed to his care, his own self-respect and peace of mind, and the leaving an honorable record in the history of his country. He would not have time to carry through any rash schemes or speculative theories of his own. The legislative power would remain, where the Constitution places it, in the two Houses of Congress. Foreign relations and internal policy would acquire a stability that would add infinitely to the national honor, prosperity, and power. Personal ambition and party schemes and manœuvrings could no longer pervert legislation. Sectionalism could not survive such a change, for the executive rule would be beyond its sway. Whether the reins of administration for an approaching term should be held by a citizen of the North or South, of an Atlantic, Pacific, or Central State, no man or combination of men could tell, help, or hinder. All that could be known, and it would be more and better than can now be known with certainty, would be that he had been elected by the people of a State, through their constitutional legislature, to represent it in the Senate of the United States, and for six years had had experience in the government of the country. Sectional rights would, however, be amply recognized; for Senators from every part of the Union would participate, on equal grounds,

in the process that would provide the President from term to term.

Mr. Hillhouse condensed his argument in favor of the mode of appointing the President, now under consideration, in brief, emphatic propositions, of which the following are specimens: "It will make the Senate more respectable. It is prompt and certain. It will exclude intrigue and cabal. It gives talent and modest merit an equal chance. It is economical. It gives to the people a President of the United States, and not the chief of a party. It will annihilate a general party pervading the whole United States. It removes temptation to use power otherwise than for public good. It will prevent the influence of a presidential election on our domestic concerns and foreign relations."

The great advantage of such a mode of selecting a President, and which includes all others, as is stated in the foregoing propositions, and throughout the speech from which they are quoted, would be that it would strike down the hydra of national party: to use the phrase of Mr. Hillhouse, it would cut off the demon's head. In so doing it would restore to the government, as framed and adopted by the people and the States, its vital energies, legitimate action, and rightful authority. The constitutional sovereignty, whose functions have so long been usurped by unauthorized, irresponsible conventions, would return to the Representatives of the States, and people in Congress assembled; and the executive, legislative, and judicial departments be no longer swerved from, or obstructed, in the path of patriotic duty and wisdom, by the ambition of political aspir-

ants, or the interests and passions of self-constituted, intriguing, and domineering outside combinations.

The importance of having this subject brought to the contemplation of the people, does not wholly grow out of political considerations; which, alone regarded, would not have demanded, or received, notice in this work. It is necessary to a biography of any of the great actors, in the history of the United States, to have it understood in another point of view. The effect of the division of the people into two permanent hostile parties has been fatal to the glory of the Republic by tarnishing the fair fame, more or less, of all who have acted conspicuous parts in its annals. The reputation of its historic names is the chief treasure of a nation. Pointing to them it says, like the patriot Roman mother, These are my jewels. Almost every person throughout the land has been drawn into one or the other of the conflicting parties. The leaders on both sides, and all acting with them respectively, have been the objects of detraction. One half of the people have become imbued with prejudice, and even hate, against the other half. Not merely the spirit of rivalry, and the zeal of contestants, but a sense of the great public interests supposed to be involved, have kindled and embittered the general passions. None have been able to avoid the prejudices and animosities thus engendered, which have descended from generation to generation. The serene mind of Washington himself was sometimes disturbed. But demonstrative and ardent temperaments have, at once, been exposed to the assaults and open to the influence of these party passions. Political warfare has pervaded, and a cloud of calumny and aspersion hung over, our whole history.

From the first presidential term to the present day the records of debate and the columns of the press have teemed with invectives against public men, thrown from side to side. On the other hand, the most extravagant eulogies have been heaped by their supporters upon all of either side who have obtained party nominations, from the highest to the lowest, whatever their real merits.

What is the historian to do in this state of things? It is impossible for him to perform his office in examining and judging, as to the right or wrong, in the interminable and complicated altercations of political strife, in the ever-varying and in themselves often immaterial issues of party struggles. To a great extent it may be said that his duty will be best discharged by wholly ignoring both the criminations and recriminations, the calumnies and the panegyrics, of party, and confining himself to the actions and services of the characters embraced in his narrative, recording their sentiments truly, but not participating in prejudices or passions prevailing for the hour in their breasts. His object should be to present men as they were, and not through the refracting medium of party excitements, perverting, at the time, their vision of each other.

Such a course will be attempted to be pursued in this memoir. Colonel Pickering from his public positions, and the sensibilities and energies of his nature, could not but occupy the front rank in the political warfare of his day. He uttered no thought he did not sincerely entertain, but he uttered it strongly. It was not then, and is not now, sufficiently considered that different men, in opposite circumstances, see things in different lights. For this reason, harsh judgments ought not to

be formed as to the actions or expressions of men who, from contrary convictions, earnestly pursued a conflicting course.

With such an estimate of the unworthiness of party prejudices and passions to be perpetuated, or even commemorated, all unnecessary reference to them will be avoided. Colonel Pickering's actions will be recorded, and his sentiments, as to men and measures, appear in his correspondence, publications, and speeches, but not a line will be written to give new life to the animosities entertained by him, his antagonists or associates; and which were buried by all of them, whose long retrospect, if spared like him to reach old age, was under its rectifying, softened, and mellowing light.

Parties aiming to possess the government and rule the country, extending their sway over its entire surface, having in the manner now described been brought into existence and effectual operation, it became necessary to find some bond of union that would embrace all the individuals of each respective party, and enable them to move in solid ranks to the attainment of their ends.

The circumstances attending the formation of the Federal Constitution suggested one of the issues on which national parties were organized under it. The opposition to its adoption in most of the States, particularly in New England and Pennsylvania, was grounded on an apprehension that the proposed system tended to a centralization and consolidation of power in the general government, encroached too much on the sovereignty, and threatened to overthrow the rights, of the States. On this point, as there was this preparation for it in the public mind, a party was ready to be formed;

and it gathered at once into its body all who had resisted the ratification of the Constitution,—an earnest minority in every State, and, in some of the large ones at least, equally dividing the people,—the ratification being carried indeed, in several instances, by arguments and influence prevailing in the conventions over the known popular will. This party was first designated as Republican, but afterwards as Democratic.

Those not partaking of this apprehension, who thought the Federal government established by the Constitution was not stronger than the peace, prosperity, power, security, and liberty of the people required it to be, also became ranged into a party, naturally, and, to a recent period, called Federal.

Other questions have, at different crises, constituted a temporary issue between the two parties: but this was the earliest, has been the generally predominating one, and continues still to be the chief point upon which national political organizations stand arrayed against each other. It answered the purpose remarkably well, because it afforded important and serious topics upon which to agitate the public mind; and, like many other subjects that have awakened much enthusiasm and excitement, it opened, in its vague indefiniteness, a boundless field for imaginary anxieties and fears and loose declamation.

Collisions of authority, occasionally arising, produced more or less inconvenience. A difficulty of this sort, embarrassed, as has been seen, the administration of the Post-office department in the beginning. The circumstances have been related in a previous chapter, which may be summarily repeated. In arranging a contract for the mail service, it was proposed to have coaches

employed on certain roads, that might also accommodate travellers with seats, thereby reducing the cost to the government; but this was resisted by private parties, which had previously obtained State charters, giving them the exclusive right to convey passengers on those roads within the respective States. Various other questions of jurisdiction between the United and particular States have occurred from time to time; and, as they arose, and while pending, have provided the means of keeping up agitation on this subject. It is unnecessary to more than refer to the dangerous, and recently the terribly mischievous, consequences that have resulted in the course of our politics and history from controversies of this nature.

The jealousies and fears that have been, and are, propagated on this point; the cry about "centralization," "consolidation," and "State rights,"—do not seem to be justified by the history of the United States, during the period it has covered, of three generations. The States, as distinct governments, independent and sovereign within their proper spheres, exist and exercise their full power over the field they occupy, and as agreed upon by them all and severally, when one after another they adopted the Federal Constitution. Whatever they thereby parted with of sovereignty and jurisdiction, was, as they were then satisfied, only so much as was absolutely demanded to constitute them, in union, a nation competent to secure its own internal tranquillity and happiness, and to maintain itself against other nations. All their substantial liberties and rights are reserved and made secure and permanent, as they could not otherwise have been. They are protected sever-

ally from encroachments of the general government by a judiciary, dependent on them in its creation and its existence; every Justice or officer of which receives his appointment by their advice and consent, and is liable to be removed from his place by a court constituted wholly by them. No part of our political system retains its pristine authority, vigor, life, and spirit, more perfectly than the State governments.

An analysis of the Federal Constitution, as well as the history of the government, shows the nervous solicitudes with which, for party purposes, a large portion of the people have been disturbed, on the subject of State rights, to be needless and visionary. The States are protected, in the ground-plan and entire framework of the Constitution, by a rampart wholly unassailable.

All legislative power is in the two Houses of Congress. The Upper House is exclusively a representation of the States as such. They are ever present, as equals, on its floor. No measure can pass or become law without their consent, then and there given. Every Senator is required to be, at the time of his election, an inhabitant of the State he and his colleague represent in that body. It is the constitutional special duty of the Senate, as every one of its members must feel, to defend the rights of the States against all encroaching legislation; and they have the power to do it. It is the guardian of the States; and its members stand as sentinels to watch over their privileges, and armed to repel every invasion of their dignity and proper sovereignty.

The other House of Congress, in its ordinary functions, does not represent the States, but the people in

and of them. In several aspects, however, even that House bears the impress and proclaims the authority of the States. The number of its members, representing the people of the States respectively, varies according to population; but they are apportioned on a uniform ratio, fixed decennially by a law of Congress, and therefore by the concurrence of the States in Senate assembled. The members of the House of Representatives are elected from districts arranged by State laws, and they receive their commissions in which they are declared to be representatives, not of their districts but of their States, from the hands and under the seal of the State authorities.

In one contingency the House becomes, like the Senate, a representation of the States as such and strictly. On that occasion they stand, as equal States, on the floor of their body. When no person has received a majority of the electoral votes for President, the members of the House of the different States resolve themselves respectively into distinct organizations, severally become units; and, as States cast each one vote: Delaware has one vote, New York no more. This has happened twice; but if the electoral colleges had been left to act according to the purpose and expectation of the framers of the Constitution, it might have happened often, perhaps ordinarily. If the powers conferred upon the States as such, under the Constitution of the United States, are objected to, as in conflict with equal popular rights in general; and, in special instances, such as making Delaware equivalent to New York when the House of Representatives elects a President of the United States, the answer is, first, that without such grants of

power, the States would not have adopted the Constitution ; and, secondly, that by the Constitution, this is a government of *States* as well as of the *People*. Such provisions of the Constitution were designed to keep a great and important power in the hands of the States. But it has been rendered inoperative by the action of national parties. It has thus come to pass that the chief encroachment on State rights, in the history of the country, has been by national parties professedly hinging on this very point of State rights, perverting the electoral system ; through that breach entering the citadel of the constitutional government and depriving the States of this final, although contingent, control over the executive administration of the United States.

The States, as such, according to the provisions of the Constitution, add each two to the numbers to which they are respectively entitled on the basis of their population to cast electoral votes for President and Vice-President. And the States alone and wholly, in the House of Congress representing them, and created by them, have the power of removing by their sentence the President and Vice-President from office.

The constitutional power of the States, through the Senate, over the judicial department of the Federal government is equally marked. No person can ascend the bench of the Supreme or any other court of the United States, without the consent and approval of that branch of the government created by and dependent upon the States. The same is true of all other important officers connected with the courts, besides the judges. Not only judicial, but all other civil officers, as well as the President and Vice-President, are subject to be removed

by the House of Congress representing the States, sitting as a court of impeachment, from whose decision there is no appeal, and whose sentence no pardoning power can reverse.

The Senate has a substantial control over the entire machinery of the government, every considerable officer of which, except the President and Vice-President, in all cases, depends for the confirmation of his commission upon its advice and consent,—heads of departments, judges, ministers, consuls, and foreign agents; post-masters, and all officers connected with the management of the public lands, the revenue from customs, and internal taxation, Indian affairs, and the army and navy. In this whole field of power and influence the House of Representatives has no share.

The Senate, also, alone acts upon all treaties, its consent being necessary to their ratification.

Such is the eminent, it may be said the predominant, power secured to the States in the Constitution of the United States, as appears from an examination of its provisions in detail.

Perhaps more correct views would have been prevalent on this subject, had the relations between the States and the government of the United States, under the Confederation and under the Constitution, been more accurately understood. The government under the Confederation was that of States alone; and it has been represented, and too much conceded, that it was annihilated by the establishment of the government under the Constitution. But such is not the fact. It has rather been perpetuated, by being taken up in another embodiment, made part of a more perfect union, clothed with

a strength and inspired with a life it knew not before. It is reproduced in the Senate of the United States. A representation of States constituted the Congress of the Confederation, so it does the Senate. The States stood upon an equal footing in the Congress of the Confederation ; so they do in the Senate of the United States. The Senate has every power the Congress of the Confederation had ; for, although the latter could issue bills of credit to equip a navy, maintain an army, send ministers abroad, and do some other things which the Senate alone cannot do, it could only apportion among the States the sums of money to defray the expenses thus incurred. It had no power of its own to raise the money. The Senate now, concurring with the House of Representatives, exercises directly the taxing power. The Congress of the Confederation, to do this, had to look for the concurrent exercise of the requisite power by the State legislatures, relying wholly upon their patriotism and regard for the general welfare and public faith. The States, in the Congress of the Confederation, had no legislative power: in the Senate of the United States, acting in concurrence with the other House, they are invested with all legislative power. All the powers the States possessed, when acting through the Confederation, are retained under the Constitution, greatly multiplied, and working more effectually over a wider sweep; exercised either through the Senate or the Senate and House of Representatives in concurrence, subject to some extent to the approval of the President.

In the old Congress each State was required to have at least two, and might have as many as seven, Delegates, who, however, whether two or more, had but one

vote. If only one Delegate was present, or if the delegation was equally divided, the State was not counted; and the concurrence of nine States was required to carry a question. These provisions of the articles of Confederation crippled its action, and contributed much to the inefficiency of the system, and were not applied to the Senate in the Constitution. If they had been, however, and that body been required to vote by States, its peculiar functions and legitimate sphere would not have been lost sight of.

The enacting clause of laws passed by Congress has also contributed to obscure the character assigned to the Senate, in the structure of the government under the Constitution. The language used is this:—

“Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled.”

This makes the House appear to be the representative of the States, as much as the Senate. It would have been better to have had the distinctive functions of the two Houses indicated by some such phraseology as this:—

“It is enacted by the United States of America, and by the whole people, thereof, in their respective Houses of Congress assembled.”

The ultimate and efficient component parts of the government are the STATES, represented and embodied in the SENATE, and all the PEOPLE of which they are severally composed, represented and embodied in the HOUSE OF REPRESENTATIVES. These two bodies, as legislative powers, stand on equal ground; and their concurrent will and action, in their constitutional sphere,

are the imperial law of the land. As the grand inquest of the nation, and in certain controlling functions as to the treasury, the people, in their House, have exclusive power. The States, in their House, have exclusively controlling executive powers.

The Confederation performed a great work, and left a noble record. It did not die when the Constitution was adopted. It rose to a higher life, and lives to-day. Whoever enters the Senate chamber, in the Capitol at Washington, sees, in the body perpetuated there, the glorious old Congress that declared the independence of the United States, commissioned the Commander-in-Chief of their armies, carried the country through the Revolutionary war to its triumphant close, co-operated in making a government more adapted to secure the perpetuity of the States and the welfare of the people, and then took its place in it, under a new name and in a nobler form, the only perpetual and imperishable part of the political structure, always, as the Senate of the Union under the Constitution, to be the representative of the sovereignty within the limits agreed upon by them, and guardian of the dignity and rights of the States, one and all, old and new, great and small.

Upon a full examination of the provisions of the Federal Constitution, and of the history of the country under it, every fair and candid mind, it seems to be justifiable to say, must concede that there really never has been, is not, and never can be, any occasion for an apprehension that State rights are endangered. No attempt has been, or can be, made to dislodge the States from the vantage-ground they hold in the system. All questions that have arisen as to conflicting jurisdic-

tion between Federal and State power have been satisfactorily adjusted, and will ever be authoritatively settled by a supreme tribunal, in which the States, through the branch of the government assigned to them, and which they create and constantly renew, will always have a just influence.

The circumstances that have been related attending the movement resulting in the establishment of the Constitution of the United States, showing that for nearly a year and a half the country was in a state of anxiety, suspense, and agitation amounting to fever heat,—chiefly from a wide-spread apprehension that the just authority of the States, and with it the liberties of the people, were in jeopardy,—demonstrate how deeply this sentiment was imbedded in the public mind; when, through the unlooked-for operation of the provisions of the Constitution for the selection of electors, permanent national parties became inevitably formed, it was necessary to find issues on which to rest them; and the question as to State rights, being ready to their hands, was naturally adopted. It has from the beginning been their main resource, and supplies political catch-words to this day. Occasionally, however, as has been observed, it has yielded to other topics having a more engrossing interest at the time. It did so at the point reached in this biography.

The entrance of the American Republic into the family of nations, and the French revolution immediately following it, startled the world. The extraordinary incidents marking the latter event riveted attention, and awakened everywhere wonder and awe. The sudden rising of the people to unrestrained power in the central

monarchy of Europe ; the irresistible tide of democracy overwhelming all the ancient forms of aristocracy in Church and State, sweeping to utter destruction royalty, nobility, and priesthood ; the terrific guillotine falling upon all designated victims of popular wrath, without reference to rank, reputation, learning, science, age, or sex ; the execution of the King and Queen ; the blood of massacre flowing in the streets ; a reign of terror all over the nation,— were looked upon with amazement and consternation.

Emperors, kings, and the Pope combined to restore the old order of things, but were scattered by the strength given by the infuriated passions of the people to the arms of the maddened Republic. The triumphant legions of France had inscribed on their banners “Liberty, Fraternity, Equality.” Out of the horrors of the scene, and over the ruins of the throne, altar, and the legalized institutions of society, the fierce democracy, as it rose, assumed the form of a military power in its energies, rapidity of execution, and perfection of discipline, such as had never been seen before. Between it and all hereditary powers the death struggle had begun. The concurrence of circumstances and of considerations belonging to the emergency, placed England at the head of the alliance of the potentates and old governments of the world ; and the contest was soon regarded as for the prize of universal dominion between that country, as the representative of the monarchies of Europe, and France, the armed Republic, and the champion of new ideas and of popular power and rights.

Of course the astounding spectacle inspired the people of America with the profoundest interest. Looking at

it, in its early stages, they beheld the regeneration of the nations with a proud enthusiasm, as the result of their own achievement in their recent war for liberty and independence. They felt that they had set the ball in motion; and their sympathies were almost wholly with France. When the terrible extremities of outrage and crime were reached, in the sanguinary horrors at Paris and other cities of that country, and they heard the God-defying declarations of the bad men who ruled the storm, that sympathy was shocked into shame and detestation. But as the acts and scenes of the marvellous drama shifted, alternating revulsions of feeling followed in quick succession. The indignation excited by the barbarous violence of the tribunals and the populace, gave place to admiration and applause, as the heroic Republican armies repulsed the combined interfering hosts of the surrounding monarchies. The melancholy excesses of the Republic, and its triumphant defiance of all the thrones of Europe, kept the people here and everywhere in fluctuating agitation.

As the contest assumed the character, more and more definitely marked, of a struggle for ascendancy in the rule of the world, between France and England, the feelings and judgments of thoughtful men in America were put to the severest test. It was too evident to all reflecting and enlightened minds that the success of neither of the combatants boded well to the United States. If France should become the master of Europe, its imperial sway would brook no delay in becoming the master of America. The whole course of that power proved that it considered the aid it had rendered the United States in accomplishing their severance from

British dominion as giving it a title to demand their subserviency; and the great Republic of Europe would compel the allegiance of the Republic of America. If, on the other hand, England, as the champion of thrones, should prevail, and the old *régime* be everywhere re-established, how poor would be the prospect of the democracies here, not yet cemented into the strength of maturity, to stand their ground !

Yet, while dismay was connected with the thought of the consequences to this country of the establishment of a universal empire by either of the belligerents, a choice could not but be made between them. The evil would be great in whichever event; but there was a choice of evils. The question pressed upon all, which would be the greatest evil; and on it opinion and sentiment became divided. Hence arose two parties, denounced respectively as "the French party," and "the British party." All previous issues were suspended, and the people ranged themselves into conflicting masses on this alone, dividing on pretty much the same line, and respectively, to a great degree, under the same leaders. On this new basis the two national parties moved for more than twenty years, until the restoration of the old monarchy in France, by the battle of Waterloo, rendered that country no longer formidable or interesting; and the war with England, of 1812, wiped out, as wars often do, the grudge against that country, and proved that the United States had nothing to fear from that quarter. Thenceforward there has been no particular concern as to the fortunes of either of those countries among the people of this, and parties have been formed on domestic questions, such as State

rights, internal improvements, the tariff, currency, banks, and finances in general; finally, on the slave question, fatal, in the end, to both the old parties, which, however, are organizing again, and threaten, as before—unless a remedy, that which has been suggested in this chapter or some other, be adopted—to usurp the government and pervert the Constitution in all time to come.

At the period reached in this biography, it was natural that the difference of feeling, now under consideration, should have existed among the people of the United States. Some were controlled by the remembrance of the aid France rendered in their hour of need by its fleets and armies in their own Revolutionary struggle, and by still heated animosities towards England kindled by that war; and their sympathies were captivated by the profession of republicanism by the French people and government. Some, on the contrary, experienced a modification of the sentiment of gratitude to our ally, from a belief that she acted, not so much to procure our independence as to prolong the contest; that the motive was not friendship to America, but hostility to England. There was a strong conviction in the minds of many that France was not prepared for a Republic, and that the movement there would end in a military despotism. They could not recover from the shock occasioned by the “reign of terror.” There was considerable feeling towards England as the “mother country,” a branch of the same historic race and national family to which we belonged. But the predominant view, and it was a just one, entitled to great weight, and of which the force could not but be appreciated by reflecting persons,

inclining them to favor England, was that the spirit of her Constitution was favorable to civil liberty and social order, the frame of her government resting to a great degree upon popular representation at that point especially which affected taxation and the exercise of the money power, her monarchy in that and other respects being substantially limited, her jurisprudence recognizing the equality and personal rights of all men before the law, and her literature promotive of sentiments of freedom, self-respect, and the manly independence of individual minds. Such thoughts led many to feel an assurance that we should have less to fear from England than from France.

While some of the other issues upon which the people of the United States have divided into national parties, have not merited the importance attached to them by political agitators and declaimers, that coming into prevalence during the period of Washington's administration must be allowed to have been worthy of the profoundest interest. The state of things in Europe was truly portentous. The effect of events occurring or impending there demanded the watchful attention of all men in America. The more intelligent, serious, philanthropic, and patriotic the minds that observed them, the deeper was the anxiety with which they were regarded. Such persons saw that all was at stake. Hence the earnestness of conflicting opinions, the vehemence of political agitation, and the heated strife of parties. Leading men became intensely alienated from each other, and hostile feelings against the opposing party were deeply impressed upon all hearts. History, to do justice to the persons and masses thus arrayed in political feud, must have in

view the then existing state of things. The more fairly and fully this is done, the more willing a candid mind will be to allow that, notwithstanding their angry and aspersive expressions against each other, the prominent actors and their followers, on both sides, were severally actuated by sincere patriotism and an honest zeal. The names of the eminent men of that age, rescued from the passions universally excited in the hour of alarm and the confusion of judgments, will be held in honor by an impartial posterity.

In addition to the influences that naturally wrought upon the people, from the momentous interests involved, causing contrariety of opinion to lead of itself to extreme social commotions, each of the foreign belligerents was resorting to all possible means, by interfering intrigues, to bring the United States into its toils, thus aggravating the turmoil, and exasperating the violence of party.

Fortunately for the country and for mankind Washington, at this most difficult and perilous crisis of our history, had his strong arm on the helm. The ship of State was safely steered, through the howling storm, over the most tempestuous sea it has ever encountered. He stood calm amidst the tossing convulsions of the people, adhering firmly to his purpose, despite the clamors and outbreaks of party passions, and the threatening demonstrations of a misguided populace, on one occasion at least assuming the form of meditated mob violence upon his person. He could not be moved from his purpose, but kept the government and the country steadily in the course of absolute neutrality; thus saving by his statesmanship what he had won by his sword,—

the independence of the United States. It was the crowning service of his great life.

France was disappointed and offended because the United States would not make common cause with her. She had expected and claimed an active alliance from a sense of gratitude for the aid she had given to America in its war for independence, as well as from republican sympathy. The idea had become prevalent in the French councils that the people of the United States desired to join hands with them, but were disregarded and misrepresented in the cabinet of Washington. Under this impression ambassadors were sent over, who in the most audacious and insolent manner entered into conference, correspondence, and co-operation with the party opposed to the administration, and openly violated public law by purchasing and fitting out vessels in American ports to cruise against the commerce of nations, at peace with the United States, with whom France was at war. This led to increased perplexities and animosities. Great Britain demanded reparation and effective preventive interference; and, at the same time, herself committed breaches upon the neutral policy and attitude of the United States. Both nations strained every nerve to acquire ascendancy among the people and in the government of America; and, to prevent each other from obtaining any advantage from American commerce, resorted, alternately, to arbitrary retaliatory measures that restricted, oppressed, and preyed upon it. Washington rebuked them both sternly, and with even-handed justice and firmness held them in check, and vindicated the rights and sovereignty of his country. In his Farewell Address, looking back upon the course he pursued

in the crisis that has now been related, he expressed himself as follows:—

“ Why quit our own to stand upon foreign soil? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity with the toils of European ambition, rivalship, interest, humor, or caprice? After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a neutral position. Having taken it, I determined, so far as should depend upon me, to maintain it with moderation, perseverance, and firmness.”

He deserves to be remembered with gratitude by all coming generations, for having preserved to his country, to use his own words, “ the command of its own fortunes,” for resisting and repelling all attempts, by domestic factions or foreign power, to force the quarrels of other nations upon us, and for maintaining at every hazard, and to the last extremity, the independence of the American Republic among the nations of the earth, and transmitting it unimpaired and unencumbered to future ages.

Such is a condensed review of the origin and character of the national parties of the United States, with which, at the point now reached in his biography, Colonel Pickering was to be conspicuously and actively connected when called by Washington to stand by his side as a member of his cabinet.

CHAPTER IV.

Colonel Pickering, Secretary of War, in Charge of Military, Naval, and Indian Affairs. — Personal Traits.

1795.

On the 28th of December, 1794, General Knox addressed a letter to the President, resigning his office as Secretary of War, in this language: —

“ After having served my country nearly twenty years, the greatest portion of which under your immediate auspices, it is with extreme reluctance that I find myself constrained to withdraw from so honorable a station. But the natural and powerful claims of a numerous family will no longer permit me to neglect their essential interests. In whatever situation I shall be, I shall recollect your confidence and kindness, with all the fervor and purity of affection of which a grateful heart is susceptible.”

On the 30th Washington accepted the resignation, in a letter containing the following expressions: —

“ I cannot suffer you to close your public service without uniting with the satisfaction which must arise in your own mind from a conscious rectitude, my most perfect persuasion that you have deserved well of your country.

“ My personal knowledge of your exertions, whilst it authorizes me to hold this language, justifies the sincere friendship which I have ever borne for you, and which will accompany you in every situation of life; being, with affectionate regard, always yours.”

Colonel Pickering was appointed Secretary of War on the 2d of January, 1795.

At that time the charge of the navy, as well as of the army and of Indian affairs, was embraced in the war department. So that Colonel Pickering entered upon the duties and responsibilities now borne by the Secretaries of War, of the Navy, and, to a large extent, of the Interior. Of course it will not be attempted to enumerate all his various labors and services. Some of his reports, or passages of them, and a few letters or parts of letters, are presented, as illustrating the public business of the country at the time, and his manner of discharging the portion of it committed to his care and management. This will meet the demands of a biography, and incidentally shed light upon the condition of things, and upon several characters acting conspicuously at that period.

The establishment of arsenals, at proper sites, engaged much of his attention while Secretary of War. In a report to Congress of December 12th, 1795, after mentioning certain explorations and examinations of localities suitable for the purpose in South Carolina and on the Potomac, he said : —

“ The prices of lands and mill seats (for the latter must be comprehended in the plan of an arsenal) so far exceeded those upon which the calculations were made, when the plan of erecting arsenals was projected, and rose so rapidly soon after, it is now found that the whole appropriation for the three or four arsenals which the executive was authorized by law to erect, would be inadequate for a single new establishment. Hence the principal object, in the measures pursued during the last summer, was to ascertain and secure the most eligible site on the Potomac where magazines could be erected, and certain military stores be collected and safely deposited ; and where, afterwards, the works necessary in

the formation of all the implements of war might be erected as the requisite funds could be provided.

“ In a country where such establishments are unknown, and where the actual state of things admits of a suspension of some of them, consistently with the public safety, it would seem expedient to make an experiment with *one*, in a central position. The obvious principles of economy recommend this caution ; and the avoiding of defects likely to appear in a first attempt, and the probability of solid improvements which experience would suggest in a second, strongly enforce it.

“ Springfield, in the State of Massachusetts, was at once fixed on as a proper situation for the arsenal to be established in the eastern division of the States. Magazines, for military stores, had been formerly erected at that place. Some additional buildings have been made, and a number of workmen collected for the purpose of repairing and manufacturing small-arms. The former has been executed, and the latter commenced.”

In another report, of the same date, “ on the measures which have been taken to replenish the magazines with military stores,” he gives the following account of the military armament of the country, at that time, and of its resources in that department:—

“ A contract has been made for a large quantity of salt-petre, and probably it is now on its way from India. This important article may, however, be obtained in the western parts of the United States. The fact is ascertained. Forty or fifty tons have been brought from those parts to Philadelphia for sale ; and it is said that several hundred tons might be procured in the same way, in the course of the next summer, if needed.

“ To increase the stock of small-arms, and to render serviceable those already in the public stores, two sets of armorers have been employed — to wit, at Springfield, Massachusetts, and at New London, in Virginia — in repairing arms, and preparing to manufacture the most essential parts of muskets ; and some specimens have been produced which prove their

capacity to equal, in that article, the manufacture of any country in the world. All the arms in the magazines in Philadelphia have been repaired, with some thousands at West Point, where the residue are now repairing.

“In addition to these sources of supply, besides two thousand rifles which have been purchased, contracts have been made, and are executing, for seven thousand muskets, to be manufactured in the United States. The present period may be deemed an unfavorable one to carry on such manufactures, on account of the high price of labor; nevertheless, it seemed important to secure the services of the manufacturers when they might be of the highest necessity, by continuing to furnish them employment. Such muskets as are manufactured are after the model of the French arms, which compose by far the greatest part of those in our magazines. For this reason, and because they are preferable to those of any other nation known in the United States, it was apparently inexpedient to make an importation of arms from Europe, seeing a supply was not to be expected from France, and the situation of the United States not rendering the measure of an immediate importation indispensable.

“The casting of cannon has not been attended, hitherto, with the expected success. The foundries, which formerly succeeded very well in the casting of small guns, were not well adapted to the casting of twenty-four and thirty-two pounders. A French gentleman, of some knowledge and experience in cannon foundries, has lately been employed to amend the process of casting, and to improve the machinery for boring; and there is room to hope that his projected improvements will be realized. Nevertheless, in an undertaking so important, and at the same time so expensive, it was desirable to obtain, if possible, a complete cannon-founder; and, from the information received, it seemed probable that one might be procured from one of the first foundries in Europe. Measures for that purpose have accordingly been taken.”

These documents, while they indicate the carefulness and earnestness which Colonel Pickering brought to his department, show the small scale of the military estab-

lishment of the United States at that time. The general staff of the army consisted of a Major-General, a Brigadier-General, an Adjutant-General, a Paymaster, a Surgeon, and a Chaplain, six officers in all. The cavalry consisted, rank and file, of 240 men, commanded by a Major; the artillery of 731 men, commanded by a Lieutenant-Colonel; the infantry of four regiments, each commanded by a Lieutenant-Colonel: the whole comprising 2,257 men. Of this army 2,039 were with General Wayne, beyond Pittsburg, in the campaign against the Indians of the north-west.

On the 25th of March, 1796, the military committee of the House of Representatives communicated to that body the following "suggestions relative to the military establishment" made to them by the Secretary of War. They are presented in full, as a record of his views in administering that department.

“ OBJECTS OF THE MILITARY ESTABLISHMENT OF THE
UNITED STATES.

“ 1. To occupy the posts already established on the line between the United States and Canada, from Lake Champlain to Michilimackinac. To appear respectable in the eyes of our British neighbors, the force with which we take possession of the posts should not be materially less than that with which they now occupy them. This measure is also important in relation to the Indians, on whom first impressions may have very beneficial effects.

“ 2. To occupy the posts established, and to be established, agreeably to the treaty lately concluded with the Indians, north-west of the Ohio; including also those from Pittsburg to Presqu’Isle.

“ 3. The treaty concluded with Spain must, doubtless, give us the posts they now occupy at the Chickasaw Bluff and the Natchez, which we must garrison. They will be proper

stations for opening the trade with the Chickasaws and Choctaws, and very convenient stations to our citizens navigating the Mississippi.

“ 4. To preserve peace between the southern Indians and the frontier citizens, from the Cumberland to St. Mary’s, by restraining the latter from aggressions, particularly, by settling on Indian lands.

“ 5. To accomplish the same object, north-west of the Ohio ; with the addition of preserving the Indian territory, and the proper lands of the United States, from intrusions, and to remove the actual intruders ; for they have already manifested their rapacity, in seizing and possessing the public lands.

“ 6. To garrison the most important fortifications on the sea-coast. The smaller ones, in time of peace, may be taken care of, each by an individual, such as an invalid, or other poor citizen, at a very small expense.

“ In applying the military force to these objects, I have thrown the posts to be occupied into divisions, in each of which there will be a principal station, for the ordinary residence of the commandant of the division. One battalion will occupy one of these divisions, and a sub-legion three of them. The Lieutenant-Colonel will take a station, the most convenient for superintending his sub-legion. A general officer will find abundant employment in visiting and regulating all the posts.

“ Hence it will seem that I am of opinion, that the present force of our military establishment should be preserved, for

“ 1. A military force, not much short of that which now exists, must always be kept up, even in time of peace, in order to preserve peace with the Indians, and to protect theirs and the public lands.

“ 2. Though detached so far from Europe, yet having for our neighbors the subjects of two European powers, and our extended and extending commerce making all the maritime powers of Europe in some sense our neighbors, we cannot expect for ever to escape from war with some of them. In this expectation, will it not be highly important to maintain a military arrangement which shall be a model, and furnish instructors, for all the additional corps which a war shall compel us to form ?

“ 3. Beyond question, the military posts we must occupy, on our vast frontiers, will be numerous, though the garrisons will be small. But if such remote stations are established, with an entire independence of each other, and without superior commanding officers to inspect and regulate them, every species of negligence and abuse may be expected to be indulged and practised in many of them, thus defeating the objects of their establishment. And as such visits will frequently be requisite, the higher officers, in their respective divisions, will be the proper inspectors. A just subordination being thus maintained, the commandants of posts will regularly be responsible, and report the condition of their commands to their immediate superiors, respectively; these to their respective superior inspecting officers; and the latter to the commanding General, who will, in one view, present the state of the military forces entire, and of the posts they occupy, to the supreme executive of the United States.

“ It is very true, that the number of troops, now on foot, might be commanded by fewer officers; all the infantry and riflemen being only about equal to the sub-legions. If, then, the other two sub-legions were reduced, it would produce a saving of pay, subsistence, and forage for the officers, of about twenty thousand dollars a year. This, doubtless, merits attention; but, in the present moment, the reduction would seem to me inexpedient.

“ 1. Because the pacific arrangements entered into with Great Britain, and those believed to be formed with Spain, remain to be carried into effect.

“ 2. Because we do not yet know what will be the issue of fresh hostilities with the Greeks; they may bring on a general war with that nation, and alone demand a military force equal to our whole establishment.

“ For these reasons I would submit to the committee, whether it is not prudent to suspend any decision on the military establishment to a later period of the session? Probably in a month or two, every fact that has relation to the two neighboring powers, and to the Greeks, will be ascertained in such a manner as to leave no further room for hesitation in regard to the extent of our military establishment. By inspecting

the return, in the hands of the committee, they will perceive that the troops will be reducing, by the mere expiration of their enlistment, quite as fast as it will be prudent to discharge them.

“ If the committee shall think proper to suspend their report, they will have the advantage of the information that may be derived from General Wayne (whose arrival is daily expected), particularly in regard to the posts, which it will be expedient to occupy.

“ The corps of artillerists and engineers appears to be an important establishment. To become skilful in either branch of their profession will require long attention, study, and practice; and because they can now acquire the knowledge of these arts advantageously only from the foreign officers who have been appointed with a special reference to this object, it will be important to keep the corps together for the present, as far as the necessary actual service will permit. Its principal station may then become a school for the purpose mentioned. To render this school more complete, provision is wanting for a geographical engineer and draughtsman. Such a one may now be retained for the establishment of a Captain.

“ TIMOTHY PICKERING.

“ February 3d, 1796.

“ THE COMMITTEE ON THE MILITARY ESTABLISHMENT.”

At the close of the Revolutionary war, before the army was disbanded, Colonel Pickering having, with others, been requested by Washington so to do, communicated to him in writing his views as to such a military system as would be required to be permanently kept up in the United States on a peace establishment. It is an elaborate and able treatise on the subject, dated at Newburgh, April 22d, 1783. The part of it in which he advises and urges “ a military school or academy at West Point ” is quoted in the first volume of this Biography, p. 461. The last paragraph of the foregoing “ suggestions,” presented to a military committee of Congress while he

was Secretary of War, shows how he fostered this idea in his mind, and paved the way to the institution, of which he was the originator, and is entitled to be considered the father. It was strongly recommended to Congress in Washington's last annual message in December, 1796, and finally established by law in 1802.

Colonel Pickering's name is connected with the history of West Point long before the Military Academy there was thought of. The famous iron chain, weighing one hundred and eighty tons, to prevent the passage of vessels, was stretched across the river at West Point and secured, on the 1st of May, 1778. Lossing, in his "Pictorial Field Book of the Revolution," in a note, Vol. I., p. 706, states, on "documentary evidence," as follows: —

"Colonel Timothy Pickering, accompanied by Captain Machin, arrived at the house of Mr. Townshend late on a Saturday night, in March of that year, to engage him to make the chain. Townshend readily agreed to construct it; and in a violent snow-storm, amid the darkness of the night, the parties set out for the Stirling Iron Works. At daylight on Sunday morning, the forges were in operation; New England teamsters carried the links as fast as they were finished to West Point, a distance of about twenty-five miles; and, in the space of six weeks, the whole chain was completed."

Washington and Pickering were some time engaged in inquiries and correspondence as to the best point on the Potomac for an arsenal. The former announced his decision in favor of Harper's Ferry, in a letter to the latter, dated September 28th, 1795: —

"I will immediately set on foot an inquiry relative to the prospect of obtaining the land sufficient for an arsenal at the confluence of the rivers Potomac and Shenandoah. From

what I have heard of this site, and partly from what I know of it, it must be the most eligible spot on the whole river, in every point of view, for a work of this sort."

The following letters to General Wayne, Commander of the army in the north-west, show the judgment and skill that marked Colonel Pickering's administration of the various departments committed to his care:—

"WAR OFFICE, October 24th, 1795.

"DEAR SIR,

"I have laid before the President, not only your public despatches received yesterday containing the treaty, &c., the letters being numbered 8 and 9, but your private letter also. The letter contained some delicate subjects. I had thought on one some time past. I mean *the command in your absence*. And the only resource which occurred to me was, that *you* should make *all* the arrangements proper to be observed in your absence, and that the officer, then succeeding of course to the command, should be enjoined *not* to make *any, the least, alteration*, unless unlooked-for hostilities should render it necessary. I have not seen the President since yesterday. He agrees to your wish of absence to visit your friends and attend to your private affairs."

"WAR OFFICE, October 31st, 1795.

(PRIVATE.)

"DEAR SIR,

"I wrote you last week a few hasty lines (both official and private), relative to the subjects mentioned in your despatches of September 15th, 19th, and 20th.

"There appear to be insuperable difficulties in the way of each expedient you have suggested relative to the command of the army in your absence. To supersede a certain person on *suspicion* would be deemed arbitrary, and to place an inferior officer over his head would amount to an *offensive* dismission. Under these circumstances, the hint, dropped in my last, I have submitted to the President; and, with his approbation, it is now officially announced to you, as his determination, in my public letter of this date. The President considers

it as perfectly regular, and as expedient as regular, for you to make the proper dispositions of the army and various posts, to be invariably adhered to during your absence, except on such contingencies as you can foresee and easily provide for. Consequently, the *strength* of every garrison, and the officer to command it, with the detail of his duties, will be fixed by you. This might be proper under any circumstances, to prevent unnecessary changes to gratify individuals, to the injury of the public interests. The customary returns will be made, of course, to the officer who succeeds you in the command of the whole ; but, for your satisfaction during your absence, you can require every officer to make duplicate returns to you.

“ In fixing these permanent arrangements in your public orders for observing them, and the instructions or orders to deliver to your successor, prudence will require that the whole be done in a manner the most delicate that you can devise, to avoid offence, and consequent damage to the public.”

In March, 1794, Congress passed an act to build four frigates, each to carry forty-four guns, and two to carry each thirty-six guns. The necessary specifications had been prepared for their construction during General Knox’s administration. It had been concluded to use live-oak and cedar in their frames and finishing, but their keels had not been laid when Colonel Pickering succeeded to the War Office. Great difficulty had been experienced in procuring the timber. Agents, wood-choppers, and carpenters were sent to the southern coasts and to Georgia, to select and prepare for transportation what would be large enough and suitable to the service. Colonel Pickering hurried on the work with great energy ; completed the supply of live-oak ; made arrangements for providing each of the frigates with a suit of sails, manufactured in the United States, and with a second suit of foreign sail-cloth, the best that could be

found abroad ; purchased the requisite amount of hemp for cordage ; and entered into engagements for anchors and all other needed materials and articles. He had nearly prepared them for launching, when he was transferred from the department of War.

TO THE PRESIDENT OF THE UNITED STATES.

“ WAR OFFICE, March 14th, 1795.

“ SIR,

“ Solicitous to retain in the public service so estimable an officer as Captain Dale, I wished to place the indulgence he requests on such ground as might save that service from injury, and afford a satisfaction to the executive of the United States in granting him a furlough. Captain Dale will undoubtedly return from China in full time to take command of the frigate to which he has been appointed. The superintending of her while building may be committed to Captain Samuel Barron as soon as he returns from sea, and, in the interim, to his uncle, Captain Robert Barron. Both are of Norfolk, experienced seamen, and recommended by the agent, Mr. Pennock, and others.

“ Samuel Barron is a candidate for a first lieutenancy in the navy, and will feel a peculiar interest in performing attentively the office of superintendent. Captain Dale will compensate them for the service they render in his stead. Captain Barry and Captain Truxton have engaged to afford every advice and assistance that may be required relative to Captain Dale’s frigate during his absence. Under these circumstances, I have thought it would be expedient that Captain Dale should be indulged with a furlough during the time necessary for performing his intended voyage to China ; otherwise an officer so universally and highly valued and esteemed will be for ever lost to the naval service of the United States. On communicating the matters here stated to General Knox, I have the pleasure to find his opinion entirely concurring with my own.

“ Should these reasons, Sir, appear satisfactory to you, I shall beg to be honored with your determination as early as may be

convenient. Captain Dale had an expectation of sailing to-morrow.

“I have the honor to be yours, &c.,

“TIMOTHY PICKERING.”

Washington immediately signified his approval and consent.

The above letter illustrates in several points the circumstances connected with the building of these ships; which were throughout quite remarkable. The act of Congress, authorizing their construction, fixed their armament, but not their dimensions. Washington, in the exercise of what he deemed an authorized discretion, ordered that they should be each nearly three hundred tons larger than the estimate of the committee who reported the bill. Extraordinary pains were taken to ensure their perfection. The person employed as naval constructor immediately proceeded, taking ample time for examining the subject, to make all possible inquiries and investigations, preparatory to constructing the moulds and draughts. He says, in his report, made December 23d, 1794:—

“As soon as Congress had agreed to build frigates, it was contemplated to make them the most powerful, and, at the same time, the most useful ships. After the most extensive researches and mature deliberations, their dimensions were fixed, and I was directed to prepare the draughts, which was accordingly done and approved. The plans appear to be similar with those adopted by France in their great experience in naval architecture; they having cut down several of their seventy-fours to make heavy frigates, making them nearly of the dimensions of those for the United States. From the construction of those ships, it is expected the commanders of them will have it in their power to engage, or not, any ship, as they may think proper; and no ship under sixty-four now afloat but what must submit to them.”

Three of the most eminent naval commanders, Commodores Barry, Dale, and Truxton, in a report made about the same time, approve of the “precautions” taken “in laying the foundation of our infant navy,” as they justly call it; in digesting “a good plan” to “avoid errors, and fix dimensions founded on the experience of all maritime Europe, as well as that of this country, so as to have the ships the best adapted for the service of any that were ever built of the kind, which we are of opinion has been happily effected, and that the arrangements to commence the building the frigates have been judiciously made. We are well satisfied that their frames will be perfectly sound half a century hence, and it is very probable they may continue so for a much longer period.”

General Knox, on the last day of his service as Secretary of War, in a communication to the House of Representatives, says, in reference to “the frigates authorized by the” act to provide a naval armament: —

“ That the passing of the said act created an anxious solicitude that this second commencement of a navy for the United States should be worthy of their national character; that the vessels should combine such qualities of strength, durability, swiftness of sailing, and force, as to render them equal, if not superior, to any frigates, belonging to any of the European powers. Researches, therefore, have been made for the best principles of construction, and such proportions adopted as have appeared best, upon the most mature advice and deliberation.”

In the course of the summer of 1795, the materials were sufficiently collected and prepared, under Colonel Pickering’s directions, to commence the work of construction; and, on the 12th of December of that year, he reported to the Senate the progress that had been

made. Their keels were all laid, most of the framework on the ground, ready to be put in place, and the entire equipment either on hand or provided for. The officer who was to command each vessel was designated, and they were severally to "superintend" personally and constantly the building of their respective vessels.

A frigate of forty-four guns was building at Philadelphia; Joshua Humphreys, naval constructor, and Captain John Barry, superintendent.

One of forty-four guns, at New York; Foreman Cheeseman, naval constructor, and Captain Silas Talbot, superintendent.

One of forty-four guns at Boston; George Claghorne, naval constructor, and Captain Samuel Nicholson, superintendent.

One of forty-four guns at Norfolk; Josiah Fox, naval constructor, and Captain Richard Dale, superintendent.

One of thirty-six guns at Baltimore; David Stodder, naval constructor, and Captain Thomas Truxtun, superintendent.

One of thirty-six guns at Portsmouth, N. H.; James Hacket, naval constructor; and Captain James Sever, superintendent.

These particulars are given, because it would be difficult to mention a public work of any kind more faithfully, thoroughly, wisely, or successfully executed than the foundation, as above described, of the present navy of the United States. The subject was carefully studied by the most competent persons in the country before any conclusions were reached. Time was taken to collect information from all accessible sources. The ex-

perience of other nations was brought into requisition, and light and guidance sought from all most acquainted with naval architecture and the properties of ships, on every point of model, construction, material, and equipment. The result was a perfect work. It may be said with literal strictness that no mistake was made, and all the ends aimed at were secured. Every prediction was realized, and even every wish stamped, by all subsequent experience, with the character of prophecy. The names of the constructors and superintendents deserve to be kept in honorable and perpetual remembrance. The credit for this service to the country is eminently due to Washington and his three successive Secretaries of War, Henry Knox, Timothy Pickering, and James McHenry. The preliminary arrangements were made by Knox; the vessels were prepared for sea by McHenry: but they were built under the care and direction of Pickering.

TO THE PRESIDENT OF THE UNITED STATES.

“WAR OFFICE, March 14th, 1795.

“SIR,

“As the carved work for the frigates should be relative to their names, and will require a length of time to accomplish, there being but a single carver here competent to the work of the frigates building at Philadelphia, Baltimore, and Norfolk, the captains, with Mr. Humphreys, the constructor, at this place, have represented the necessity of an early designation of the names of the frigates. To facilitate your choice, I beg leave now to lay before you a select list of such as have occurred in my conversations with gentlemen on the subject.

“I have the honor to be, &c.,

“TIMOTHY PICKERING.

“LIST OF NAMES, &c. — *United States, Constitution, Constellation, Perseverance, President, Defender, Protector, Congress, Fortitude, Liberty.*”

The preamble of the act of Congress authorizing the building of these vessels states that it was for the purpose of protecting "the commerce of the United States" against "the depredations committed by the Algerine corsairs." Its last section was, "Provided always, and be it further enacted, that, if a peace shall take place between the United States and the Regency of Algiers, no further proceeding be had under this act."

Before any of the vessels were completed, the President communicated to Congress that peace had taken place with Algiers, and, after much debate, it was decided to finish three of the frigates, and dispose of the perishable materials of the others. The ships building at Philadelphia, Boston, and Baltimore were selected; the President gave them, respectively, the names at the head of Colonel Pickering's list, in the order in which he placed them. The "United States" was launched, at Philadelphia, July 10th. 1797. The "Constitution," at Boston, October 21st, 1797; and the "Constellation," at Baltimore, September 7th, 1797.

This was the beginning of the American Navy. These pioneer ships have had each, a famous career of glory. Truxton, in the "Constellation," on the 9th of February, 1799, after a gallant action, captured the French frigate "L'Insurgent." The "Constellation" distinguished herself in many other engagements, and was in constant service down to a recent period. It is unnecessary to enumerate the brilliant achievements of the "Constitution" and the "United States:" they are cherished with pride by every American, and known throughout the world. These three vessels were beautiful models, as well as renowned examples of the old sailing men-of-war.

They never lowered their flag to an enemy, but floated it in glory, over all seas for more than half a century.

The part he bore in building these most celebrated, efficient, and successful war ships of the country, and giving to them their names, make Colonel Pickering's administration of the navy department, ever memorable.

In managing Indian affairs he manifested the marked features of his character. After examining faithfully the details of every subject brought before him, he was decisive and energetic. His large experience in this department was of great advantage. The powerful tribes of the south-west, and those also at the north-west, notwithstanding the defeat they had recently suffered, were troublesome, threatening, and formidable. The long intimacy of the latter with the British in Canada required special carefulness and circumspection in dealing with them. It is quite remarkable, considering the quickness of his impulses and the ardor of his temperament, that throughout the whole of that period of his life, when charged with executive trusts, he was uniformly cautious, wary, and considerate. A few passages from his manuscripts will illustrate this.

Governor St. Clair wrote to him proposing a visit to the seat of government of the chiefs of the Sioux and other tribes. In communicating the letter to Washington, Colonel Pickering says: —

“I should doubt the expediency of the visit. All the means of attaching those numerous Indian nations to the United States it would seem to me better to have suspended until we get possession of the western posts; for they would naturally increase the efforts of the British to retain them in their interest, and perhaps prove a concealed motive for procrastinating the delivery of the posts. When that delivery

takes place they may be satisfied with a visit to the principal officer of the United States, at Detroit or Michilimackinac; and then, too, the intercourse by trade may advantageously commence. These ideas, as they have immediately occurred, are respectfully submitted to the President of the United States."

" War Office, July 7th, 1795. The Secretary of War respectfully lays before the President of the United States the draught of a speech to the Chickasaws and Choctaws, now in Philadelphia, as representatives, — the former of their nation, the latter of the five upper towns. The Indians will be held ready to wait on the President at any hour he shall be pleased to receive them, upon notice, this evening or to-morrow morning, of the time most convenient."

" August 16th, 1795. War Office.—To the President of the United States. The enclosed letters from Governor Blount were brought to my house last evening. To gain time, I desired Colonel Hays, the conductor of the Chickasaws, to bring them this morning to the War Office. We met, but Major Colbert declined making any communications but to you in person. Hitherto, he said, his nation had depended on your officers, and had been disappointed. Now, nothing but an answer from your own mouth, to what he should offer, would satisfy him. I suppose the whole object of the journey is expressed in Colbert's speech to Governor Blount.

" When you shall be pleased to inform me at what time you can most conveniently see them, I shall let them know it, and attend with them. I have made a draught of the form of a ratification of the treaty somewhat different from that handed to me."

The correspondence between Colonel Pickering and Washington, and Governor Blount and General Wayne, in the management of these Indian matters, is very voluminous, and shows how much precaution and particularity were needed to avoid giving offence and preserve friendly relations. The instructions to the military commanders were necessarily minute, and the result of careful deliberation between the President and Secretary of

War; and the draught of the treaty of Greenville, made by General Wayne, and which gave peace to the north-western settlements and territories, proceeded from them, as did the draughts of all other treaties with Indians.

The following reports made by Colonel Pickering to Congress, show the range of his duties and cares in this department of his service as Secretary of War.

“ DEPARTMENT OF WAR, January 26th, 1795.

“ SIR,

“ In pursuance of a resolution of the House of Representatives of the 21st instant, requesting the President of the United States to “direct the proper officer to lay before the House a statement of the number of troops that will be necessary to maintain such a line of military posts as it will be expedient to establish effectually to protect the frontiers of the United States,” I submit the following report, and am, with great respect, Sir, your most obedient servant,

“ TIMOTHY PICKERING, *Secretary of War.*

TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
OF THE UNITED STATES.

“ The attempt to form the statement required in the resolution, has been found extremely embarrassing; our situation at this time presenting no definite object to which military operations shall be pointed.

“ Although lately, on our north-western frontier, victory attended our arms, and the principal villages of our savage enemies were destroyed; yet it does not appear that these events have produced amongst them a general disposition to make peace. If they continue hostile, a force merely defensive will be insufficient to secure the advantages we have gained. Our most advanced posts are from a hundred and fifty to nearly a hundred and eighty miles from the Ohio. At present we can support them with troops, stores, and provisions only from that river. For this purpose a chain of posts must be maintained, besides a very respectable force to ensure the safety of the convoys. The hostile nations may yet embody in numbers nearly equal to those which opposed our arms in

the last campaign. Consequently, the convoys should be of strength, not only to resist, but to overcome them ; otherwise the necessary support of the posts may fail, and then they must be abandoned, or left to fall victims to famine or the enemy. But to abandon those posts would be, in a great measure, to surrender the fruits of the last campaign. It would be a confession of our weakness ; and, by encouraging the enemy to persevere, prolong the war.

“ On the frontiers of the south-western territories, and of Georgia, there is not yet, indeed, an open war ; nevertheless, the continued depredations of the Creeks and Cherokees have rendered it necessary to keep up in the former a small permanent force, and occasionally to call out bodies of the militia. But the representations from that quarter, now before the House, show how inadequate have been the forces for the effectual protection of that frontier.

“ In Georgia the dangerous situation of its back settlers, as exhibited by the governor of that State, induced the President to authorize him to erect with his militia so many stations as, joined with those garrisoned by the Federal troops, formed a chain of posts along its whole extensive frontier, and corps of militia horse patrolled between them. But numerous as were the stations and troops, the Governor (an experienced soldier) deemed them unequal to the object of a full defence.

“ Besides our Indian frontier, the sea-coast is to be guarded. The fortifications now erecting will require, to aid in completing and to man them, the greater part of the corps of artilleryists and engineers ; which seems to have been organized principally for that purpose.

“ In this view of the situation of the United States, while negotiations with the foreign nations who possess adjoining territories are depending ; while a restoration of peace with the western Indians is uncertain ; and while an extension of open war with other and more powerful tribes is impending, — it would seem highly inexpedient and unsafe to depend on a permanent force short of our present military establishment, especially when it is considered that sickness and other con-

tingencies will for ever make large deductions from its efficient numbers.

“ All which is respectfully submitted.”

TO THE VICE-PRESIDENT OF THE UNITED STATES AND
PRESIDENT OF THE SENATE.

“ SIR,

“ WAR OFFICE, December 12, 1795.

“ By direction of the President of the United States, I have the honor to present herewith ‘ a report of the measures taken for opening trade with the Indians,’ and am, &c.,

“ TIMOTHY PICKERING.

“ The situation of the Six Nations, surrounded either wholly by the settlements of citizens of the United States, or on one side of them, and on the other by the British of Upper Canada, and by both in near neighborhoods, seemed to exclude them from the experiment proposed to be made, of commencing a trade on the principle of furnishing cheap supplies to the Indians; for the familiar intercourse between them and the whites would have subjected the public to continual impositions, against which no checks were provided.

“ Peace with the tribes north-west of the river Ohio was only in a train of negotiation; these, of course, were not in a condition to participate in the projected trade.

“ It remained, then, to make the experiment with the southern tribes; and because the small appropriation for this object seemed intended merely as an experiment, it was desirable to make it with as little expense as possible. For this, among other reasons, the sum appropriated was divided unequally, and more than two-thirds destined for opening a trade with the Creeks, to whom the goods could be conveyed by sea. The remainder was designed for the trade with the Cherokees and Chickasaws. The remote situation of the Choctaws could render either of the two trading posts but of small and only contingent use to them.

“ To accommodate the Creeks, Colerain on the river St. Mary’s was chosen, on the best information to be obtained, as the most eligible situation for a trading post, because it was easy of access to us, there being depth of water for sea vessels

to go to the spot, and sufficiently so to the Creeks, especially of the lower towns.

“ For the purpose of supplying the Cherokees and Chickasaws it was supposed that Tellico Block-house, within the country of the Chickasaws, would be a convenient station. It is already a military post; with a small garrison of regular troops; as such it will be secure; as advanced of the settlements of the white people it will be convenient; and the Indians are already accustomed to resort thither for friendly conferences and negotiations. Notwithstanding, lest there should be any solid objection to that station, the final choice of the trading post in that quarter is referred to Governor Blount, with a reliance on his knowledge and judgment, to fix it in the place most suitable for effecting the true objects of the establishment.

“ It is obvious that neither the Chickasaws nor Choctaws, especially the latter, can be much benefited by these arrangements; nor can they be well accommodated, until at least one trading post for each be established on the Mississippi. But, besides that circumstances did not admit of taking such posts, the whole quantity of goods appointed to this trade would not allow of any farther division than that above mentioned.

“ It has been unfortunate that this trade could not have been earlier commenced; but after procuring the goods necessary for General Wayne’s treaty, and the annuity due to the Chickasaws, with some supplies accidentally demanded for the Choctaws and Chickasaws by deputations from those tribes, the merchant stores were so drained that the requisite assortments, especially of the articles most important for the Indian trade, could not be obtained, either at Philadelphia, New York, or Baltimore; and the purveyor was obliged to wait the arrival of the fall ships. Then, as soon as the purchases could be made, and the very trusty persons necessary as factors could be procured, the goods were sent off, under their care, to their respective destinations: they are now on their way.

“ The Secretary of War begs leave to remark that the annuities stipulated to be paid to the several tribes of Indians, on the borders of the United States, are the following:—

| | |
|--|----------|
| To the Six Nations, and associates, to the value of | \$4,500 |
| To the Chickasaws | 3,000 |
| To the Cherokees | 5,000 |
| To the Creeks | 1,500 |
| To the Wyandots, Delawares, and several other tribes northwest of the Ohio, agreeably to General Wayne's late treaty | 9,500 |
| Whole amount | 23,500 |
| To which may be added, for contingent demands | 6,500 |
| | <hr/> |
| | \$30,000 |

making a total of thirty thousand dollars."

" Goods to this amount, to be regularly supplied, should be imported by the government; they will cost less; they will be of the precise kind and proportions demanded; and always in season. If the wisdom of Congress should decide on a continuance and extension of the Indian trade, on the principle heretofore contemplated, and of which the experiment is now in train, the importance of importing, on public account, will be vastly increased.

" All which is respectfully submitted to the Senate of the United States."

The management and care of the neighboring Indian tribes, and the prevention of hostilities from and among them, has occupied and perplexed the government of the United States from the beginning to this day. The original policy of Washington and Pickering, not having been steadily and powerfully pressed, they remain generally unattached individually to the soil, and, to no considerable degree, have acquired the habits or become inspired with the interests of freeholders and husbandmen, but have been suffered to continue in, for the most part, a savage state. A large and costly military force finds an ever-increasing employment in repressing their war-like propensities and punishing outrages upon humanity. Owing, in what proportions it is hard to say, to their own perverseness, the unworthiness of sub-officials of the government, and provocations kept up between them

and border settlers, attempts to civilize them have essentially failed.

It is but just, however, to admit that the heads of the department, at the seat of government of the United States, charged with its relations to the Indian tribes, have been almost universally controlled by motives of benevolence towards them. The history of the measures that have been pursued, and of the efforts that have been made in the successive administrations of the country, having the welfare of the Indians as their object, would constitute an honorable record. The pressure of the advancing wave of white population has been, and ever will be, irresistible. Roaming hordes of wild hunters, in no way fastened by their labors or habits to the land, must give way to those who, by agriculture and permanent improvements, become identified with it, and riveted to it. This is, in the nature of things, an inevitable result, and no government could, if it would, or ought to prevent it. Much hardship and wrong grow out of the process, which government should alleviate, and, so far as possible, redress. But the process must go on. There may have been mistakes and defects in the policy of the United States government; nevertheless, upon the whole, it has, all along, tried faithfully and earnestly, if not with sufficient firmness and steadiness, yet with predominant good intentions, to solve aright the Indian problem.

Whether the experiment in which Colonel Pickering was engaged — of protecting the native tribes from extortion and imposition, by the government's procuring, not to be distributed as presents, but for sale to them, merely at cost, such articles as they might have need or

occasion to purchase — ought not to be carried out, on a thorough, well-considered, extensive, and efficiently organized system, is well worthy of reflection. It would have saved the Indian from the cupidity of irresponsible traders and speculators ; have kept him in what he would feel to be beneficial relations with the government ; gradually acquainted him with the details of business transactions ; taught him the value of money ; led to a desire to procure for himself and family additional articles of convenience and comfort ; rendered closer his connection with the whites in general ; and perhaps, in the end, have answered the purpose of making all the inhabitants of the land one people.

Whatever may be thought of this plan of establishing, under the auspices and authority of government, such a system of trade with the Indians, it was worthy of a fair trial, and in harmony with Colonel Pickering's whole course, in his frequent conferences with them at their council fires, his several treaties with their chiefs, and his administration of their affairs while in the war department.

During this period but little occurred in the sphere of his private or domestic life to demand particular notice. His family had become established, and, with the exception of his two oldest sons, — one in college at Cambridge, and the other with his uncle in Salem, and at school there, — were in one household ; the children growing up under the most advantageous circumstances then attainable. He found time, as usual, to superintend and aid their progress in knowledge. The following letter to one of their schoolmasters illustrates the methods of instruction and discipline then in vogue.

Colonel Pickering held strong views on the subject of school education, and expressed them strongly. The son who was "beaten" for not fully remembering his lesson was a little over nine years of age.

"April 30th, 1795.

"SIR,

" My son William, I find, has for some time been learning English grammar. Not long since he was beaten because he could not repeat his lesson from his memory. I looked at his lesson, and asked him some questions. The result showed that he had not a single idea of the meaning of the rules, the words of which he was compelled to commit to memory; and that, for any good to be derived from performing such tasks, he might as well take up the dictionary, and learn by heart the unconnected words in their alphabetical order. He said that sometimes, when he could say his lesson at home, he was unable to repeat it at school, *because he was so much afraid*, his fear causing him to forget, and forgetting was sometimes followed by beating. This cannot fail to be the mischievous effect of the system of terror,—a system, unfortunately, as common in schools as it is detestable.

" I perceive that my elder boys, who have gone more than once through the English grammar, have but a very imperfect knowledge of the meaning of the rules; and that they do not even understand individual words which are found in the rules. It is my opinion that the bare reading of the rules, accompanied with the teacher's explanation of their meaning, and of the words composing them, would be incomparably more useful than committing them to memory in the customary mode. It may be said, perhaps, that some children are incapable of comprehending the rules even when explained. In the name of common sense, then, why impose the fruitless task of learning them? My son William is of this number; and therefore I desire that, instead of exhibiting in grammar, he may read or write, until his understanding is more mature. I have bid him stay at home this morning that he might not be punished for not performing impossibilities or practising an absurdity.

" I take the liberty to suggest that, if instead of taking

words in the alphabetical order of the dictionary, and obliging the boys to give their meanings (meanings in words, often more remote from common use than the words to be defined), they were required to learn and give the meaning of every word in their daily lessons, the utility would be great and the task little burdensome. But to take up a string of unconnected words and give their definitions, must be an irksome and almost useless labor.

“ Your obedient servant, &c.”

It has been seen that, while Postmaster-General, Colonel Pickering was governed, in making appointments to office, strictly by a regard to public interests, no considerations of personal friendship being allowed to be weighed against them. He was equally conscientious in using his influence, or giving his name, in favor of applications for appointments of this sort to the President or the other heads of departments. In the following instance his principle in such matters was put to the test.

A vacancy having occurred, by the death of William Bradford, in the office of Attorney-General of the United States, the name of Samuel Dexter, then a member of Congress, was mentioned in connection with it. Colonel Pickering had expressed to the President a decided and earnest opinion in favor of the appointment, on the ground of Mr. Dexter's high character and eminent qualifications for the office in legal learning and capacity, and ability and eloquence at the bar, seldom, if ever, surpassed. Soon afterwards General Knox addressed a letter to the President, urging the appointment of Christopher Gore. The President submitted the letter to his Secretaries, Pickering and Wolcott, for their consideration and advice.

Mr. Gore and Colonel Pickering were personal friends; but, in the existing state of things, there were, in the

opinion of the latter, reasons why the appointment of the former to that place might not be expedient; and it was no disparagement to Mr. Gore, or any other lawyer, to recognize the superior abilities of Mr. Dexter. Following the dictates of a sense of public duty, and entirely setting aside private relations and predilections, Colonel Pickering gave his views in the premises in this passage of a letter to Washington, dated September 11th, 1795:—

“ In General Knox’s letter, which you were pleased to read to Mr. Wolcott and me, the names of sundry persons were mentioned for the office of Attorney-General, and among them Mr. Gore’s. This gentleman doubtless possesses handsome abilities, but the large fortune he has acquired was not by means of his profession as a lawyer, in which, I have heretofore understood, he was less eminent than some of his brethren. His political writings demonstrate that he is as decided a party man as any gentleman who has distinguished himself on the floor of Congress. Not that I conceive this circumstance conclusive against a public character; for, as you lately remarked, the government, to be maintained, must be supported by its friends. And, in this stage of our political contests, that man must be inattentive to the interests of his country, or wanting in discernment, who has not taken the side which he thinks it his duty to support. The only distinction that occurs to me, among men of equal talents and integrity, is, that some, alike decided in their opinions, may have manifested more moderation and candor, and less personalities, in combating the opinions of their antagonists. But another circumstance may possibly present some objection to Mr. Gore. I take it that his fortune has been founded in paper speculations. And I have observed, in the vindications of some gentlemen whom the Jacobin papers have denominated ‘paper noblemen,’ that it was deemed of some consequence to assert that they were either men without fortunes, or that they had not acquired them by the speculations referred to.”

Writing again to Washington, he says:—

“ Last week I took the liberty of expressing my opinion of Mr. Gore, whom General Knox had mentioned for the office of Attorney-General. I did not speak of Mr. Dexter, because I had before manifested not only my opinion, but even my wishes concerning him. These are not changed. Mr. Morse (the geographer, a respectable clergyman, at Charlestown, where Mr. Dexter resides), has written to Mr. Wolcott that the appointment of Mr. Dexter would be agreeable. Of all the old members from Massachusetts, I have the least acquaintance with him; and yet I confess I feel much solicitude that he should fill the office of Attorney-General, because of the excellent character he bears and his uncommon talents. His connections in Massachusetts were, and are respectable.”

Washington, perplexed by this conflict of opinion between Knox and Pickering, as to two distinguished characters of their own State, settled the matter by appointing Charles Lee, of Virginia. During the next year Colonel Pickering, from the official position he then occupied, had the satisfaction of procuring the appointment of Mr. Gore to a more distinguished situation, of his qualifications for which there could be no question, and where his abilities and accomplishments could be conspicuously displayed,— that of Joint Commissioner, with William Pinkney, of Maryland, to the Court at London, under Jay’s treaty, to settle American claims upon England for spoliations.

Although courteous, in the style of the old school of manners, and respectful in his feelings and demeanor towards all men, Colonel Pickering was addicted to much plainness and frankness of speech. Love of truth, supreme abhorrence of hypocrisy, and an unwillingness to have silence misinterpreted as consent, led him to say what many other persons would suppress for fear of

giving offence. Tench Coxe was a man of fine talents, but quite inclined to indulge in theories relating to political economy, finance, and kindred subjects. The following note is among the Pickering manuscripts:—

“ September 30th, 1795.

“ Colonel Pickering, with his compliments, returns to Mr. Coxe his paper on the subject of British debts, confessing that the positions and distinctions taken by Mr. Coxe have not wrought on his mind the conviction with which they appear to have impressed that of Mr. Coxe.”

Whoever submitted any thing to his criticism was sure of a truthful and honest judgment, but of nothing more. This Mr. Coxe appreciated, and after, as well as before, the date of this curt note, sought his opinion, and always valued it.

For a period of more than eight years Colonel Pickering, as Postmaster-General, and as a member of the Cabinets of Washington and John Adams, kept house in Philadelphia. His family was large, and he had no other income than the salary of his offices, not nearly half as large as now. Of course he had to practise a careful economy. One expenditure, above all others, he freely made,—that required for the education of his children. It was their whole inheritance, so far as there was any assurance, and to provide it for them was a sacred obligation, to meet which he was ready to submit to any privation. Next in sacredness to this was a cordial and genial hospitality. The feelings of his nature prompted and demanded of him to welcome friends to his table, and bring them under his roof if visiting him from other places. To accomplish these two objects, the fashionable expenses to which his position rendered him and his family liable had in a great measure to be

avoided. The following passages from his correspondence are interesting in this connection :—

“ BOSTON, January 4th, 1794.

“ DEAR AND HONORED SIR,

“ This letter will be presented by Dr. Appleton, my particular friend, a member of my church, and one of the best men on earth. I could not refuse him the gratification of an introduction to you, though neither he nor I can expect any particular civilities. Of your many avocations I am very sensible ; and I shall not fail to acquaint him with the particular state of your family.

“ Your nephew and friend,

“ JOHN CLARKE.”

“ BOSTON, February 16th, 1794.

“ HONORED SIR,

“ I am happy to have an opportunity to thank you for your attention to Dr. Appleton. To a man of so much merit I could not refuse a letter. But I shall be careful not to trespass on your goodness by multiplying such freedoms. I know the magnitude of your family, and I know the inconveniences sometimes attending letters of introduction.

“ JOHN CLARKE.”

“ PHILADELPHIA, March 5th, 1794.

“ DEAR SIR,

“ No apology was necessary for your introducing to me Dr. Appleton. You may abate of your scruples in that matter on future occasions. My civilities will be due to all whom you recommend, and they will be rendered without inconvenience ; for I shall not put myself to the expense, nor my family to the trouble, of a splendid exhibition at table, having neither vanity nor ambition to be hurt by a deficiency on that score. Hospitality and friendship may exist without it.

“ Most sincerely adieu !

“ TIMOTHY PICKERING.”

William Bingham, to whom the following note was addressed, December 17th, 1795, then a Senator in Congress, lived in a style of great elegance, at Philadelphia :—

“ DEAR SIR,

“ To the card from you and Mrs. Bingham, inviting me and Mrs. Pickering to dine with you, I undertake, for her and myself, to return an answer.

“ It is not easy for me, even in matters where fashion might countenance or authorize it, to offer an apology that has not truth for its basis. Let me, then, tell you that Mrs. Pickering and I are constrained to forego many pleasures of society, because we cannot persuade ourselves to enter on a career of expenses which, being far beyond our income, would lead to ruin. For this reason, Mrs. Pickering chooses to dine abroad only at Mrs. Washington’s, as a consequence of my official station ; and this as seldom as decency will permit. Mrs. Bingham’s good sense will be satisfied with this reason for Mrs. Pickering’s declining to accept her invitation.

“ But Mrs. Pickering is aware that, while a public man, I cannot seclude myself from the world, and therefore often urges, on my part singly, an intercourse which is *useful*, as well as agreeable. I shall then, with pleasure, dine with you occasionally, but without promising to reciprocate all your civilities. You may expect me to indulge in the pleasure of your company on Tuesday.

“ Mrs. Bingham and you will be pleased to accept of Mrs. Pickering’s and my respects.”

From the moment of Colonel Pickering’s entering the Cabinet of Washington, as Secretary of War, he was officially, necessarily, and constantly involved in the political agitations of the country. The part he bore in them has been reserved to the next and succeeding chapters.

CHAPTER V.

Secretary of War.—Washington's Foreign Policy.—Jay's Treaty.—Approved by the Senate.—Extraordinary Measures to prevent its being ratified by the President.—Washington ratifies it.—Correspondence relating to it.

1795.

THE portentous state of things in the old world, following the French Revolution, impressed Washington with a profound sense of duty, and a solemn resolution to keep this country from being embroiled in the conflicts and involved in the fates threatening the governments and nations there. To stand aloof from the convulsions of Europe was, in his view, the clear and imperative dictate of American patriotism and statesmanship. It was rendered, however, extremely difficult, all but impossible, by the conduct of the great belligerent powers, and by the animosities of party and the fanatical impulses of a large portion of the people here.

With this purpose in view, he arranged and directed the foreign policy of his administration. The first point to be secured was to establish firm and well-defined relations of friendship with all the leading European courts. Ministers Plenipotentiary, instructed to this effect, were sent out to negotiate treaties of amity and commerce; Gouverneur Morris to France, and Thomas Pinckney to England. Subsequently, Mr. Pinckney was transferred to Madrid, as Envoy Extraordinary; and ultimately succeeded, on the 27th of October, 1795, in

making a treaty with Spain. On the 16th of April, 1794, John Jay, then Chief Justice of the Supreme Court of the United States, was nominated Envoy Extraordinary to his Britannic Majesty. He proceeded at once upon his mission. On the 19th of November, of that year, he concluded, at London, a treaty between Great Britain and the United States.

The intelligence of this treaty reached the government, at Philadelphia, about the time that Colonel Pickering entered the Cabinet of Washington as Secretary of War. The country was at once thrown into a political excitement, the violence and intensity of which has seldom, if ever, been equalled.

During the Revolutionary war, Washington remained at his post, leading the army, and his large landed estate was left in the hands of overseers; but in his civil administration, particularly while Philadelphia was the Federal seat, and when Congress was not in session, he occasionally visited Mount Vernon, sometimes remaining there many weeks, entrusting the public business to his Secretaries, with whom he communicated, mostly through the ordinary post.

This was a favorable circumstance, so far as the interests of history are regarded. Instead of being lost to knowledge by occurring only in verbal conferences and discussions, of which no record could have been kept, the deliberations of the cabinet, with the topics and arguments that entered into them, are, to a great degree, preserved in the letters and papers that passed between the President and his Secretaries. Colonel Pickering appears to have been in constant correspondence with him. His manuscripts are, for this reason,

invaluable, and may be said to tell the whole story of that most interesting crisis in the fortunes of the country.

They will be mainly relied on in continuing the narrative of his service, while associated in the national government with the chief executive magistrate in the management of its affairs, foreign and domestic. The purposes of a biography will be answered, and its limitations observed, by selecting a few documents and passages from letters. The full correspondence with Washington and others would constitute a voluminous history.

On the 7th of March, 1795, the treaty negotiated with England by Mr. Jay, reached the Secretary of State. Washington immediately called an extra session of the Senate to consider and act upon it. On Monday, June 8th, the Senate met. On the 17th of June, the following form of conditional ratification was moved:—

“Resolved (two-thirds of the Senate concurring therein), That they do consent to, and advise the President of the United States to ratify the treaty of amity, commerce, and navigation, between his Britannic Majesty and the United States of America, concluded at London, the 19th day of November, 1794, on condition that there be added to the said treaty an article, whereby it shall be agreed to suspend the operation of so much of the twelfth article as respects the trade which his said Majesty thereby consents may be carried on between the United States and his islands in the West Indies in the manner and on the terms and conditions therein specified.

“And the Senate recommend to the President, to proceed, without delay, to further friendly negotiations with his Majesty, on the subject of the said trade and of the terms and conditions in question.”

On the 22d of June, Aaron Burr, a Senator from New York, moved to postpone the ratification, and institute new negotiations, specifying certain conditions, to which it was absolutely certain that England would never agree. The adoption of this motion would have been equivalent to a rejection of the treaty; but it was not sustained, ten Senators voting in the affirmative, and twenty in the negative. On the 24th of June, Jacob Read, a Senator from South Carolina, moved to add a clause to the resolve introduced on the 17th, to "obtain adequate compensation" for the negroes carried off from the United States: but the Senate refused; yeas twelve, nays fifteen. Another motion was then urged to postpone the whole matter: but it failed; yeas ten, nays nineteen. Finally, on the same day, the first paragraph of the original motion "Resolved, &c.," was adopted; yeas twenty, nays ten,—precisely the requisite vote. The remaining paragraph was adopted unanimously. It is apparent that the treaty could not have been ratified on the part of the Senate, without the conditional clause, and the second paragraph, of the motion of June 17th. After the ratification was concluded, and had been communicated, by order of the Senate, to the President, attempts were made, and obtained within one vote the necessary two-thirds, to instruct the President to institute negotiations with England, which would surely have reproduced and aggravated difficulties with that power. The Senate concluded its session on the 26th of June.

The general aspect of the proceedings of the Senate was not very satisfactory. One-third of its members showed a fixed determination, from beginning to end, to

reject the treaty. Although no other one ventured, by adding his vote to theirs, on a direct question, to incur the responsibility of its defeat, there were several disposed, on indirect questions, to aid in raising obstructions and promoting delays that would have led to the same result, in the continuance of irritating disputes and unfriendly relations with Great Britain. It is obvious that the treaty could not have been ratified intact; indeed, its friends did not think it expedient to call for a vote upon it as such. The conditional clause, and the last paragraph, of the ratifying resolve embarrassed and perplexed the President. It was difficult to see how he could affix his signature to the treaty, encumbered with the exception which the Senate had required him to make as to its twelfth section. Further, the language of the Senate resolve left it open to question whether he might sign the treaty forthwith, depending upon subsequent negotiation, or wait until the consent of England could be obtained to the annulling of that section. He felt it necessary to take time to consider the subject, suspended his final action, and reserved his judgment.

The Senate, in its last sitting, had “enjoined” upon its members “not to authorize or allow any copy” of the treaty, or of any article thereof, to be communicated to the public or to any person whatever. One of them, nevertheless, suffered the document, and in an incorrect form, to find its way into the newspapers. This, with the President’s silence in reference to his purpose, created a state of things that threw the country into a ferment of which there had been no example before, and has not been since.

On the 14th of July, Mr. Stephen Higginson wrote Colonel Pickering from Boston :—

“ Before the receipt of this, you will have seen or heard of high doings in this town relative to and against the treaty with Britain. A number of resolutions were passed at our town meeting containing objections to it, which were sent off by express, in the hope that the President may not have signed it, and, if not, that he will be deterred.”

He further states :—

“ Men of reputation would not attend the meeting, being opposed to the town’s taking up the subject. They were left wholly to themselves ; no attempt was made to counteract them, though nine merchants out of ten reprobated the procedure, and a large majority of the whole body of citizens were averse to it. Mr. Franklin Bache came on here with Mason’s copy of the treaty, with Burr’s and Tazewell’s motions, and with a large collection of lies of riots in Philadelphia, in New York, &c., to create a flame here, and to urge on our common people to excesses. In one week we shall be cool and composed here ; and those who made and recommended the treaty to the President will be called patriots.”

Timothy Williams, a nephew of Colonel Pickering, wrote to him from Boston, July 17th, a letter of which the following are passages :—

“ You will have heard of the town meeting ; of the abuse continually poured upon the treaty and our most respectable characters from one of the vehicles of news in this town. You already know that there exists a violent Jacobin Party in this town, who have constantly opposed every Federal measure, vilified every Federal man, and who, by their conduct appear to evince an unconquerable disposition, absurd and strange as it may seem, either to throw this country into war and anarchy, or reduce us to a *Province of France*. These people have set up the French as idols, and will sacrifice to them every thing that is wise, noble, humane, just, or

characteristic, or what should be characteristic, of *Americans*. They have always wished, and now ardently long to join the French, and put at risk our peace and happiness and the fairest form of government the world could ever boast of. Such men, perhaps without knowing it, are the most dangerous enemies of their country in many respects. Notwithstanding the opposition here, I believe we may yet confide in the good sense and firmness of the people at large. An enlightened yeomanry, we trust, will not be soon duped and misled by a few factious demagogues of Boston."

Mr. Williams admits that the treaty was not entirely satisfactory to the friends of the government. "We have," he says, "expected too much from it. The moment of disappointment has been artfully caught by the opposite party to make it worse than it is. We observe that, after three weeks' discussion, and all the means of information within their reach, two-thirds of the Senators would have never ratified the treaty, had it not been esteemed, at least, as favorable to the country, if not equal and reciprocal, as the nature of things, the jealousy of commerce, &c., would permit."

Theodore Lyman wrote also to Colonel Pickering, from Boston, July 23d:—

"We have been greatly afflicted here for two weeks past by the vile and ungrateful conduct of the party that have so long been the disturbers of the quietness of the United States. This last effort has but too well succeeded. But permit me to assure you that, however formidable the newspaper accounts may appear, yet they are no more but the same persons they were two years back. They yelp, and howl, and trumpet treason at every corner, but, thank God, there are a sufficient number yet to keep the balance right, and support the honor of their injured country. More than a hundred of the principal merchants of the town have put their names to a paper dissenting from the resolutions of the town at their late meet-

ing, and declaring their unwillingness to be implicated among the number who there assembled. Salem keeps steady. I was told yesterday by a gentleman from there that he believed it would be unpopular to mention having a town meeting, and that, generally, they were not disappointed in the treaty."

These letters, and others without number, addressed to the members of the cabinet, show the extraordinary degree to which the public mind was agitated, and the intense earnestness with which the opposing parties were actuated. Similar assemblages to that in Boston took place in all the principal towns and cities, — Portsmouth, New York, Philadelphia, Baltimore, Richmond, Charleston, Savannah, and wherever the people could be addressed and operated upon. The purpose was to overwhelm the President with resolutions and remonstrances from all quarters, and thus prevent his signing the treaty.

Writing to Washington, July 21st, on other business, Colonel Pickering says: —

"Yesterday I received a letter from Mr. Stephen Higginson, a well-informed merchant of Boston, and formerly a member of Congress, describing the proceedings of the late Boston town meeting upon the treaty with Great Britain. The information it contained was evidently designed to be communicated to the President of the United States. I therefore enclose a copy of Mr. Higginson's letter."

In a letter to Pickering, dated 27th of July, at Mount Vernon, after despatching other matters, Washington says: —

"The extract from Mr. Higginson's letter, which you were so obliging as to send me, places the proceedings of the town of Boston in a different point of view than might have been entertained from the proceedings and resolves which were sent to me by express, accompanied with a letter from the

selectmen of that place. But (much indeed to be regretted!) party disputes are now carried to that length, and truth is so much enveloped in mist and false representation that it is extremely difficult to know through what channel to seek it. This difficulty to one who is of no party, and whose sole wish is to pursue, with undeviating steps, a path which would lead this country to respectability, wealth, and happiness, is exceedingly to be lamented."

Writing again, on the 31st of July, Washington says, in answer to a letter of the 27th:—

"I thank you for the information contained in it, as I shall for any further communication of the sentiments of the people, respecting the treaty, which you may be able to obtain, and think worthy of transmission; for, as it is an interesting subject, on which men's minds are a good deal occupied, I should like, as far as it is attainable, to know the result, especially that of cool and temperate characters."

It is noticeable that Washington gives in these passages no indication of what his purpose was, as to signing the treaty. He kept his counsel, even from his trusted Secretaries. His course is remarkable; and it may be an open question with some whether it was well so long to abstain from announcing his decision. It can hardly be doubted that, from the first, his secret determination was to stand by Jay and his treaty. Perhaps, as such an undisguised attempt was making to overawe him, he was content to let it show itself fully, and run its whole course, before demonstrating that he could not be dismayed. Such was the moral and political effect when the decisive act was performed. The announcement that he had signed the treaty, and the tone of his answers to the resolutions of town meetings, proved that his mind was above the reach of the means that had been used to intimidate and sway it. His de-

lay was, perhaps, largely occasioned by an influence that will be explained in the next chapter.

But, for the time being, there was great uneasiness, in consequence of that delay. As in former scenes, during the Revolutionary war, Colonel Pickering was much disturbed. The fact that Washington was so desirous of receiving information, as to popular movements and clamors, led him to fear that his mind was wavering, and that he might not sign the treaty.

In reply to the letter of Timothy Williams, Colonel Pickering expresses his opinions in strong terms of the course pursued by the opponents of the treaty.

“ DEAR COUSIN,

“ I received your letter of the 17th to-day. The proceedings of the town meeting, and of all similar multitudinous bodies, upon a subject so intricate as treaties, and of this treaty in particular, which embraces various principles of the law of nations, as well as old disputes between us and Britain, to judge of which a knowledge of that law and of the history of those disputes is indispensably necessary,—the proceedings, I say, of such bodies cannot possibly influence the opinion of any man of sense and experience, who gives the reins, not to his passions, but to his reason. Resolutions passed at such meetings, so far as they express *opinions*, lose in weight in proportion as they increase in votes; for, when once an assembly is so numerous as to be incapable of calm deliberation, its proceedings must be the offspring of passion and party. Besides, take the people of any one place, the more general their meeting, the greater will be the proportion of members incompetent to judge of the subject discussed, and *vice versa*. The affairs of the town of Boston, and of other towns in New England, are of a similar nature; and the citizens generally may understand them; but Boston, I have for years thought, would manage its affairs better by *representation*. If from Boston we pass to the larger towns of New York and Philadelphia, I will say, without hesitation, that a

reasonable popular decision is impossible. The decision may chance to be right, because the leaders may happen to be so. But the decision of a mob can, in no proper sense, be considered as the result of reason; and I never knew a large meeting of the citizens of either of these towns that was other than a mob; and, generally, the violence of mobs has been displayed, if any moderate men appeared and attempted to speak in opposition to the demagogues who originated the meeting.

“ So far as the proceedings of such meetings exhibit *reasons* in support of resolutions, so far they may have weight, but less than if offered in a less suspicious form.

“ I rather supposed that the President had decided upon the advice of the Senate; but, since I wrote to Mr. Higginson, a circumstance occurred which excited some doubt in my mind; but, if the President has not yet decided, it is to me a thing incredible, that he should, in the smallest degree, be swayed by the proceedings referred to. Such proceedings are flagrant violations of the fundamental principles of our republican governments, which are not simple democracies, but governments by *representation*. As well may Paris govern France (alas for that country! Paris has governed it too long) as three or four large towns dictate laws to the United States. The popular tyranny of the former has now probably been overthrown. The tyranny of the latter, though repeatedly attempted, I trust in God will never commence.

“ I shall be pleased with any further communications from you on this subject. I have expressed no opinion on this treaty in this my answer; in serious truth, I think it demands more information than I now possess to decide confidently on its merits.”

On the 27th of July, Colonel Pickering wrote to Washington, as follows:—

“ By the time this reaches Mount Vernon, you will have received the memorial of the Philadelphia meeting against the treaty with Great Britain.

“ I attended as a spectator, to see the mode of proceeding,

and to make an estimate of the number present. The memorial, I suppose, will be presented to you, as expressive of the sense of the citizens of Philadelphia, the Northern liberties, and the district of Southwark, at a *general* and *numerous* meeting. Nothing can be more false than this representation. The meeting was neither general nor numerous. From the opinions of some, as expressed a little before business began, I conclude the numbers may be estimated at about a thousand. I should state them at one thousand five hundred, *at the extreme*, of whom probably a third were spectators and Frenchmen. Of the remaining two-thirds, judging from their appearance, I should venture to say that at least one-fourth or one-third had never read the treaty. Supposing the meeting thus reduced to six or seven hundred, there were not probably two hundred whom the Chief-Justice, McKean, would deem qualified to serve on a jury, to judge of a common act of assembly after it had been explained by the lawyers and defined in his own charge. Yet, these few men, with a mixed company, still less qualified or totally unqualified, are impudently brought forward by their leaders to express the sense of the great city of Philadelphia; to declare the meaning and effect of a long and intricate treaty,—intricate from the objects it embraces, utterly beyond the knowledge of the mass of the small meeting of citizens who pronounced upon its merits; and this without the least explanation or discussion!

“ The men who mounted the stage, as the leading actors in this ridiculous farce, were the chairman Dr. Shippen, Mr. Swanwick, F. Muhlenberg, Speaker of the House of Representatives of the United States, Blair McClenachgan, and two or three more whom I did not know. After the business had begun, Mr. Dallas, Charles Pettit, and the Chief-Justice mounted the stage.

“ The treaty was afterwards burned, with insult towards the British Minister and Consul, by doing it before their houses. I understand that Blair McClenachgan headed this mob,—the remnant of the meeting.”

In a letter to Mr. Higginson of the same date, he gives a similar account of the meeting, handling the lead-

ing actors, however, in terms which he did not think proper so freely to use in addressing the President of the United States. The following passage gives some details that may be added to those presented in the letter to Washington: —

“ Last Thursday afternoon, a number of people appeared in the State-House yard, estimated at about twelve or fifteen hundred. They chose a committee to draw up a memorial to the President, stating the reasons on which they would ground their request to him to withhold his ratification. Last Saturday, at the adjourned meeting, the draft of a memorial was produced and read by Dr. Shippen, the chairman ; it was then read by paragraphs, and adopted ; for no man of sense or prudence would think of opposing it, when it was well known that the few citizens who attended the meeting with the design of acting were all on one side. The memorial was consequently adopted without discussion or explanation.”

On the 22d of July, the President addressed a letter to Edmund Randolph, Secretary of State, in which he refers to a previous one, in each of which his determination to sign the treaty is expressed, and Mr. Randolph is requested to communicate the fact to his associates in the Cabinet, and to speak of it “ on all fit occasions.” Owing to a blunder by a Postmaster, Washington’s letters came back to him on one occasion about this time. The delays of transportation on the mail route between Philadelphia and Alexandria were often very great. At any rate, this purpose of the President was not known by the other Secretaries on the 27th, and, in fact, does not appear to have become known to them prior to the President’s return to Philadelphia, which was on the 11th of August.

As it afterwards appeared, Mr. Randolph was opposed

to the ratification of the treaty by the President, and continued his attempts, without fully or distinctly disclosing his views, to prevent it to the last. Entertaining this purpose, and cherishing this hope, he may have withheld the communication from his colleagues. The effect of his letters to the President, which were very frequent at this time, or of information from other sources as to the extent and violence of the opposition to the treaty, while it did not change the President's determination as to his ultimate action, led him still longer to pause and feel the need of further consideration before taking the final step. The following extracts from his letters to Mr. Randolph show the state of his mind at this trying and perplexing emergency. Writing July 29th, he says:—

“ I view the opposition which the treaty is receiving from the meetings in different parts of the Union in a very serious light; not because there is more weight in any of the objections which are made to it than was foreseen at first; for there is none in some of them, and gross misrepresentations in others; nor, as it respects myself personally, for this shall have no influence on my conduct, plainly perceiving—and I am preparing my mind for it—the obloquy which disappointment and malice are collecting to heap upon me. But I am alarmed at the effect it may have on the French Government, and the advantage they may be disposed to make of the spirit which is at work to cherish a belief in them that the treaty is calculated to favor Great Britain at their expense. To sum the whole up in a few words, I have never, since I have been in the administration of the government, seen a crisis which, in my judgment, has been so pregnant with interesting events, nor one from which more is to be apprehended, whether viewed on one side or the other.”

July 31st he writes as follows:—

“ To be wise and temperate, as well as firm, the present

crisis most eminently calls for. There is too much reason to believe, — from the pains which have been taken before, at, and since the advice of the Senate respecting the treaty, — that the prejudices against it are more extensive than is generally imagined. This I have lately understood to be the case in this quarter from men who are of no party, but well disposed to the present administration. How should it be otherwise, when no stone has been left unturned that could impress on the minds of the people the most arrant misrepresentation of facts, — that their rights have not only been *neglected*, but absolutely *sold*; that there are no reciprocal advantages in the treaty; that the benefits are all on the side of Great Britain; and, what seems to have had more weight with them than all the rest, and to have been most pressed, that the treaty is made with the design to oppress the French, in open violation of our treaty with that nation, and contrary, too, to every principle of gratitude and sound policy? If the treaty is ratified, the partisans of the French, or rather of war and confusion, will excite them to hostile measures, or at least to unfriendly sentiments; if it is not, there is no foreseeing all the consequences which may follow, as it respects Great Britain.

“It is not to be inferred from hence that I am disposed to quit the ground I have taken, unless circumstances more imperious than have yet come to my knowledge should compel it; for there is but one straight course, and that is to seek truth, and pursue it steadily. But these things are mentioned to show that a close investigation of the subject is more than ever necessary. . . .

“All these things do not shake my determination with respect to the proposed ratification; nor will they, unless something more imperious and unknown to me should, in the judgment of yourself and the gentlemen with you, make it advisable for me to pause.”

The fact, apparent in these passages, that the President held the matter yet not absolutely decided upon, and his judgment still open to revision, undoubtedly encouraged Mr. Randolph in the hope that the treaty

might be defeated ; and if they were shown by him to his colleagues, must have kept them in a state of apprehension and anxious alarm. The further fact that the President enclosed, in the letter to Mr. Randolph of July 29th, the answer that had been written to the selectmen of Boston, virtually announcing his determination to sign the treaty, *but with an injunction not to forward it* “if new lights have been had upon the subject,” but retain it until they should meet, and to take the same course with answers to remonstrances against the treaty from other places, left an impression, that possibly, after all, Washington might be turned from his determination.

On the 8th of August, Colonel Pickering, in a letter to Mr. Higginson, says : —

“ Yesterday I received your favor of the third. The information of the proceedings of the merchants in Boston, relative to the treaty, and of the prevailing disposition of the people at large in that quarter, seemed to me too important to be concealed. I have therefore taken the liberty to hand your letter to a gentleman of this city who will attend a meeting of the merchants to be held here this day on the same subject. As the President has been beset from so many quarters by the enemies of the treaty, I wish your proceedings may be forwarded without delay. You may rely upon it that they will be well received. They will add to the means of his support and justification against popular clamor and abuse. The train to blow up the treaty has been laid, not only from Philadelphia to Portsmouth, but south to Savannah. I have no doubt the plot was concerted in this city, as soon as the determination of the Senate was declared ; hence the uniformity of leading objections to the treaty, at the same moment, from one extremity of the States to the other.

“ I expect the President here to-day, or on Monday. The treaty still, unfortunately, is in suspense, and the popular

clamors are the cause. The dignity, as well as the interests, of the nation demand a decision on the former, and a decision will check the latter. In my next, it is possible I may have it in my power to explain what must appear, at present, enigmatical in regard to this suspense."

In one of his letters to the President, Mr. Randolph had expressed a desire to go on to Mount Vernon, that, in free and full consultation with him, the business might be concluded. But the President wisely judged that the question of deciding on a measure of such importance in itself, and in the then excited state of the public mind, ought to be considered and acted upon in full cabinet meeting; and he resolved to return to the seat of government for that purpose. His determination to that effect was strengthened by the following passages of a letter from Colonel Pickering, dated July 31st, urging his speedy return, not merely for the reason specifically given,—the early departure of the British minister, Mr. Hammond,—but on another account pointedly hinted at, in this letter, the same alluded to in the last sentence of that to Mr. Higginson, just quoted, which will be fully explained in a subsequent chapter:—

TO THE PRESIDENT OF THE UNITED STATES.

"SIR,

"I learn that Mr. Hammond has received letters of recall, and that he expects to depart in three weeks. I am disposed to believe, from accidental intimations, that before his departure some useful and perhaps very important arrangements may be made to facilitate the compliance with the condition, on which the advice of the Senate for ratifying the treaty was suspended, and, possibly, for expediting the execution of that part of it which respects the posts.

"On the subject of the treaty I confess that I feel extreme solicitude; and for a *special reason*, which can be commun-

cated to you only in person. I entreat, therefore, that you will return, with all convenient speed, to the seat of government. In the mean time, for the reason above referred to, I pray you to decide on no important political measure, in whatever form it may be presented to you.

“ Mr. Wolcott and I (Mr. Bradford concurring), waited on Mr. Randolph, and urged his writing to request your return. He wrote in our presence; but we concluded a letter from one of us also expedient.

“ With the utmost sincerity I subscribe myself, yours and my country’s friend,

“ TIMOTHY PICKERING.

“ This letter is for your own eye alone.”

The President reached Philadelphia, August 11th. The question was laid before the cabinet the next day, and, after full discussion in cabinet meetings from day to day, it was on the 14th concluded to ratify the treaty.

Chief-Justice Marshall, in his life of Washington, gives a brief general account of the proceedings at these important meetings of the Cabinet. Colonel Pickering, in a letter to Paine Wingate, dated November 21st, 1795, describes them more particularly, but says, “ Dash out this as soon as you have read it; ’tis only for your own eye.” Mr. Wingate, accordingly, drew his pen, with a strong, full stroke, over it, but it can be deciphered with some scrutiny, and the lapse of time must be considered as removing the injunction of secrecy. The persons present at the meetings were the President and the whole of the Cabinet,—Edmund Randolph, Secretary of State; Oliver Wolcott, Secretary of the Treasury; Timothy Pickering Secretary of War; and William Bradford, Attorney-General. The paragraph is as follows:—

“ I forgot the treaty, my opinion on which you do not know. I supported it, and strenuously and effectually urged its ratification against Randolph’s empty procrastinations and

persevering opposition. Mr. Wolcott and I were united, and Mr. Bradford came over to our opinion after the discussion. The President decided with firmness, manifestly convinced that the true interests of his country (the motive to all his actions) required the ratification."

It now became necessary to prepare the papers. On the 16th of August Colonel Pickering wrote to Washington, "I have made a draught of the form of a ratification of the treaty, somewhat different from that handed to me. The instructions you have been pleased now to send me, shall be considered immediately. Both shall also be submitted to the other gentlemen with the least possible delay."

All having been got ready, the treaty was signed and ratified by the President on the 18th of August, 1795.

The answers to the resolutions that had been passed in popular assemblages against the treaty, reached their various destinations about the same time with the announcement of this result. Washington had requested his Secretaries to severally frame draughts of them, from which he would select or collect what he should judge to be the most suitable to the occasion. Among Colonel Pickering's manuscripts are two such draughts, neither of which was adopted ; but they are both worthy of preservation, as exhibiting the political sentiments of their author, and as indirectly bearing his testimony to the principles and character of Washington ; for we may be sure that Colonel Pickering would not have proposed to him for his signature any declarations which he did not know to be true. A briefer form, containing some of the frames of thought and expression suggested by Colonel Pickering, was sent, as a sort of circular, to many places. Pickering was very desirous to have the Presi-

dent make an address, at this crisis, to the people, vindicating and explaining his action as to the treaty; but Washington was disinclined to the step, and probably for this reason did not make use of either of the following draughts. They were each designed as an answer to the selectmen of the town of Boston.

“ GENTLEMEN,

“ I have received your letter, covering the resolutions of the inhabitants of Boston who assembled at Faneuil Hall on the 13th instant, concerning the treaty of amity, commerce, and navigation, lately negotiated between the United States and Great Britain.

“ The formal transmission of these resolutions may render it proper that they be noticed; while a time like the present demands a declaration of my sentiments.

“ Placed by the voluntary call of my fellow-citizens in a very responsible situation, a call which I obeyed by sacrificing my private wishes to the service of my country, a sense of public duty now impels me to speak.

“ I will then observe, Gentlemen, that, although the Government of the United States is, in the strictest sense, a popular government, it is not a simple democracy, but a Government by representation; that it is as impossible in practice, as absurd in theory, to conduct their affairs by the voices of the citizens individually given; that the people have, therefore, constituted another mode of managing their interests; that the affairs of a nation do not admit of the same easy decision as those of a town, with whose concerns its inhabitants may be familiarly acquainted; that the formation of laws and treaties demands much deliberate consideration, of which it is no reproach to my fellow-citizens to say, that a numerous and promiscuous assembly of the people is incapable. How is it possible to presume that the hasty decisions of such an assembly, the decisions of an hour, can be founded in wisdom, when a select number of the best informed men would not venture to pronounce upon questions of equal magnitude and difficulty but after the investigation and discussion of many days?

“ To the reasonings of any of my fellow-citizens, on questions affecting the interests of our common country, I shall ever lend a willing ear; but resolutions purporting to express the opinions of a multitudinous assembly, on numerous questions of magnitude and intricacy, where the time and circumstances render calm debate and mature deliberation impossible, will never influence my determinations. What man of common sense would submit questions deeply affecting his own little individual interests to the decision of such an assembly ?

“ Gentlemen, I address you with the frankness of a republican, and the plainness of a fellow-citizen. I wish, in my public conduct, to give satisfaction to all my fellow-citizens; but I wish much more, to do my duty. I will rather risk their displeasure, than knowingly put in jeopardy their true interests. These I will always consult in whatever degree they are entrusted to my care. If, thus acting, I shall meet the approbation of my fellow-citizens, I shall deem myself happy. If I am not thus fortunate, one consolation, and the best, will not be wanting,—the consolation arising from a consciousness of aiming invariably, as in a long career of public life I have ever aimed, to promote the best interests and happiness of my country.”

After acknowledging the receipt of the Boston resolutions, the second draught proceeds as follows:—

“ If any acts or exertions of mine ‘ have more than once been eminently instrumental in the salvation of my country,’ as intimated in the last resolve, it has been because, in every public employment with which I have been honored by my country, my head, my hand, and my heart, have been wholly devoted to its service.

“ The same principles, which hitherto have governed all my actions, I trust will continue to direct them. Free from personal views, unattached to any party, knowing no interest but that of my country, anxious, while pursuing that interest, still to hear the approving voices of my fellow-citizens, but not fearing their displeasure,—if any should be displeased, when I take the path to which a sense of duty calls me,—I shall

now fairly speak my sentiments on the nature of the proceedings which you have laid before me. These sentiments openly expressed on the first occasion that has offered, will render it unnecessary particularly to notice any like proceedings presented by others."

The body of the two draughts is in nearly identical language. The second draught concludes as follows:—

"The Constitution of the United States has prescribed the mode in which public treaties shall be made. All my public acts will be regulated by that Constitution. I have sworn to support it.

"The Senate, representing all the States, can alone, in the case under consideration, constitutionally express the public opinion. The Senate, two-thirds of the whole number concurring, have thus constitutionally expressed the opinion of the States upon the treaty of amity, commerce, and navigation with Great Britain. This opinion, I believe, has been given neither corruptly nor unwisely. I shall ratify the treaty, on the condition proposed by the Senate."

A few additional documents and passages from Colonel Pickering's correspondence, at this juncture, will serve to complete the view of his agency in urging the ratification of the treaty with England negotiated by Mr. Jay in London, of the high degree to which the public mind was wrought up at the time, and of the circumstances that occasioned Washington's delay in ratifying it.

Mr. Higginson, writing to Colonel Pickering, from Boston, August 3d, says:—

"Your letter of the last month I received, and was pleased to find that the steady men in Philadelphia thought and acted on the treaty, as they have done here, and indeed everywhere, as far as I can learn. The fact is, that the popular explosion we have seen in several seaport towns has been produced by the arts and previous arrangements of the same faction who

before attacked the President's proclamation, and who set up Genet in opposition to him. We have traced them, and find that Mr. Langdon, of Portsmouth, laid the train on his way home, and Mr. Bache set fire to it. They seized upon the public mind by surprise, and excited a popular irritation before we were aware of their intentions.

"In confirmation of what I before wrote you, we have now a dissent or protest to the doings of this town, signed by more than two hundred merchants and traders. There are not five men of any note in the mercantile line who have not signed it. The signers comprise more than nine-tenths of the ship-holders of the town; perhaps they own nineteen-twentieths of all the navigation of the town; and in our other seaports they are steady and quiet, well satisfied with the treaty, as being favorable upon the whole.

"The treaty will be popular here soon; discussion has silenced its opponents in the streets, and the public opinion is coming right as fast as possible. The Senate will be blamed for having hazarded the whole treaty for their objection to the twelfth article, which is more of form than substance,—at least, this is the language at this moment of many, and the sentiment will be a growing one I think. We presume the treaty has gone on, and, if it has not, that no such popular expressions will influence the President. I have objected to sending to him our dissent, on that ground, and because I abhor the appearance of interfering with government; and this is a general sentiment, or it would have been sent on to him. I mention this to you, persuaded that you will learn with pleasure that we are returning to our senses."

It will have been noticed that Colonel Pickering, in answering this letter on the 8th, urged him to send on the "proceedings" of the friends of the treaty "without delay."

Mr. Higginson wrote again on the 13th, as follows:—

"Your letter of the 8th I received by the post this day, and am very sorry, as well as surprised, that the treaty has

been suspended to this time. I hope it is not known by the opposers of it; for they will exert every nerve and use every means to increase the clamor against it, hoping to arrest and stop it from being ratified. If it is in the power of a handful of Jacobins to stop the measures of government by making a noise, I am sure its dignity and force must be less than nominal, and its existence and usefulness very precarious. When the expediency of a measure is clear to those who have the means of forming a right judgment, and who are alone the regular constituted judges of it, there caniot be such a deference due to the popular opinion; still less to a clamor only, which is known to originate in party spirit, and to have been produced by those whose object is to remove the men who stand in their way, or who are hired to advance the interest of some foreign country at the expense of our own. In such cases, those whose office it is to decide should rely upon an eventual support from the people, which will ever follow right conduct when the necessary information is given. Thus, in the present case, instead of waiting to collect the popular opinions to direct their conduct, our rulers ought to have decided at once, as their own judgments dictated, and to have drawn to their support the opinions of the people by proper information. Had the President ratified at once, upon the recommendation of the Senate, and, upon the appearance of a clamor, *addressed the people, stating generally the reasons for his doing it*, there would now be no appearance of opposition. *I wish he may do it*, though late.

“ I am very sorry that any thing like a popular interference has taken place upon the subject of the treaty, or that the good citizens must come forward in support of the government to counteract the intervention of the bad. Such instances are dangerous, and will, or may eventually, bring every great national question before the people for decision, to the destruction of our Constitution and government. I shall be glad to have any explanation of the suspense of the treaty; it has been supposed here to have been settled, and far on its way to Europe. Our papers from here go by this post to the President.”

One or two of the clauses in the foregoing letter are *italicized*, in order to call attention to the fact that, several days before he could have received it, Colonel Pickering addressed Mr. Jay as follows: —

“PHILADELPHIA, August 14th, 1795.

“SIR,

“No man can be more anxious for the fate of the treaty with Great Britain than you; and the wanton abuse heaped upon you by the enemies of their country, gives you a right to the earliest possible relief. The treaty will be ratified. This day the President finally sanctions a memorial announcing it to the British Minister, Mr. Hammond. The ratification will conform to the advice and consent of the Senate, unembarrassed with any other condition.

“Permit me to suggest to your consideration the expediency — perhaps I should say the necessity — at this time of general ferment, when the grossest falsehoods, the most infamous calumnies, are industriously disseminated to render suspected and odious the real friends of their country — of a solemn public declaration of the President, of the principles of his administration, and of his appealing to the train of actions which have marked his whole life, for the purity and patriotism of his conduct on the present occasion. Something of the kind seems due to himself and to the early, determined, and uncorrupted patriots who have supported him.

“The post is on the point of departure, which obliges me to conclude abruptly.

“P. S. I do not feel myself at liberty to have this exposed to any of your friends, except Colonel Hamilton and Mr. King.”

Mr. Jay replied as follows: —

(PRIVATE.)

“NEW YORK, August 17th, 1795.

“SIR,

“Accept my thanks for your obliging letter of the 14th. The friendly motives which induced you to communicate to

me the information contained in it will be remembered. The President's firmness on this occasion adds new honor to his character, and confers new obligations on his country.

“ Of the expediency of an address I am not perfectly satisfied, although I think it would, in many respects, be useful. It appears to me to be a good *general* rule that the President should very rarely come forward, except *officially*. A degree of reserve seems requisite to the preservation of his dignity and authority. Any address would be exposed to indecent strictures. Many of our presses are licentious in the extreme, and there is little reason to presume that regard to propriety will restrain such parties, and so hostile to the Constitution and government, from acting improperly. My opinion of the existence, views, and practices of the leaders of these parties is not of recent date; and nothing in their present conduct strikes me as singular, except their more than ordinary indiscretion. Industrious they are, and will be, and no activity or means will be spared to gain a majority in Congress at their ensuing session. To render this attempt abortive, the proposed address would doubtless conduce.

The President's speech may, indeed, comprise his sentiments and remarks on the subject; but then, by that time, the mischief may be advanced and ripened. A more early address, by correcting public opinion, would render it a check on some Representatives, who might otherwise favor the opposition. There are men who will go with the stream, whatever its course may be; and there are others who will act right when they see no advantage to themselves in acting wrong. Snares and temptations will be spread. In a word, there are *pros* and *cons* about the address; but it is a point on which I should confide in the President's judgment, which very seldom errs.

“ Ancient as well as very modern history teach us lessons very applicable to the present times, and point out the necessity of temper, activity, and decision.

“ I think that the President, with the blessing of Providence, will be able to carry his country safe through the storm, and to see it anchored in peace and safety. If so, his life and character will have no parallel.

“ If, on the contrary, the clubs and their associates should acquire a decided ascendancy, there would be reason to apprehend that our country would become the theatre of scenes resembling those which have been exhibited by their brethren in France ; and that, to justify themselves, their utmost malice and art would be employed to misrepresent and vilify the government and every character connected with it.

“ If the intelligence be true that the French are forming a Constitution and government similar to ours, that government will naturally discountenance such schemes and politics as may be hostile to it, and consequently will become cautious how they promote attacks on ours.

“ For my own part, I neither despair nor despond. God governs the world, and we have only to do our duty wisely, and leave the issue to him.”

On the 22d of August, Colonel Pickering wrote to Mr. Higginson :—

“ Yesterday I received your favor of the 13th. Mine of the 15th will have given you the satisfaction to know that the treaty is ratified. You are not without apprehensions of the consequences of the delay. I also had my fears ; but some circumstances induce me to think that all will go well, as the cause of the delay will be known in such way as to remove unfavorable suspicions.

“ I have now time to add but one thing of consequence : the resignation of Mr. Randolph, Secretary of State. This fact will excite conjectures, and lead you to a solution of some matters which have hitherto appeared to you mysterious.”

The following letters are from eminent public men, both then Senators in Congress,— one from Massachusetts, the other from Pennsylvania. They were addressed to Colonel Pickering :—

“ NORTHAMPTON, August 22d, 1795.

“ DEAR SIR,

“ I thank you for your letter of the 15th of August. It has relieved me of a degree of uneasiness which some late

counts in the newspapers of an opposite kind had served to increase. The people here are perfectly quiet, and seem to have full confidence in the rectitude of the government. A few individuals have endeavored to awaken a spirit similar to that which has appeared in some of the seaport towns ; and their want of success has been owing, perhaps in part, to their early and constant objections to a friendly accommodation with Great Britain upon any terms ; for I have heard of no complaints against the treaty in this part of the country, except from those who complained of the appointment of Mr. Jay. A number have observed that the treaty is not quite so favorable as they expected ; for they knew of no faults on our part , but they express a belief that it is the best that could be obtained, and, therefore, that they are satisfied. I hope, when the President's decision is known, the ferment in the popular towns will subside.

“ I am, Sir, with sincere friendship, &c.,

“ CALEB STRONG.”

“ PITTSBURGH, August 25th, 1795.

“ DEAR SIR,

“ I return you my most grateful acknowledgments for the intelligence communicated by your letter of the 15th. I consider it as a very fortunate circumstance that the President did not act upon the treaty, until the result of the town meetings was known to him. His sanction, after hearing all objections, will quiet the minds of the doubtful. It will silence the opposition of many well-meaning but prejudiced men, who, although they disliked the treaty and endeavored to prevent its ratification, would be far from attempting to disturb the peace of their country, by continuing their efforts after it has been adopted ; and it will show to foreign powers that mob-governed town meetings do not influence the national movements of the United States.

“ The wisdom, purity, and patriotism of the President have been so unequivocally and emphatically asserted by all the committees of the town meetings, that it will be the most impudent inconsistency to charge him now with the want of either. For my own part, I am so well persuaded that the measures taken are wise, and expedient for the happiness of

this country, that I feel no uneasiness under the obloquy thrown upon those who advised them. With sincere respect, I am, yours, &c.,

“ JAMES ROSS.”

John Quincy Adams, Resident Minister at the Hague, was temporarily transferred to the British Court, to perform a special service that will be explained in the next chapter. Colonel Pickering addressed to him a private letter, on the 10th of September, 1795, which is here given. It presents a plain and graphic review of what Mr. Ross, in the foregoing letter, denominates the “ mob-governed town meetings ” by which it had been attempted to overawe the President, and render null and void the constitutional action of the Senate by mere clamor and concerted party dictation : —

“ My temporary agency in the department of State has given me the sight of a letter of Mr. Randolph, late Secretary of State, dated the 21st of July, which I observe was circular to all our foreign ministers, and cannot fail to have excited very unpleasant sensations in the mind of every lover of order, and of every lover of his country. He there mentions the non-ratification of the treaty with Great Britain, and his opinion that the President would not ratify it ; at least, not till after it should make a voyage to Britain and return ; nor even then, if it should prove true, that his Britannic Majesty had issued and did not repeal an order in council for capturing the vessels of all the neutral powers laden with provisions for France. He mentions the town meeting at Boston, in which the treaty was condemned ; that the like measure had taken place at New York, was the next day to be repeated at Philadelphia, and would probably proceed southward. And all this strange proceeding of the people *in mass*, on a diplomatic subject, constitutionally limited to the discussion, consideration, and decision of the Senate and President, he describes without manifesting the slightest regret, or apprehension of

public danger. He notes the complaints of the advocates of the treaty that it did not receive fair-play ; that the people in these meetings were precipitated into resolutions without information, and even without knowing what the treaty contained ; but adds, " of this I can give no opinion ; " yet he knew perfectly that these complaints were just. The complexion of his whole letter shows that these popular meetings were not displeasing to him ; and, combined with various facts, which I cannot now detail, indicating studied delays, to give time for extending the opposition, satisfies me that his true object was to defeat the treaty altogether. But, however reprehensible his conduct about the treaty might be deemed, — and it brought the character of the President and the solid interests of the United States to the brink of a precipice, — it was not the cause of his resignation ; this had other relations, which some time or other may possibly be developed. Suffice it now to say that he had lost, or to speak more accurately, that he had forfeited, the President's confidence.

" Having mentioned the town meetings, the importance of which has been mightily magnified, I will give you a short history of them.

" The first was at Boston. An imperfect sketch of the treaty had been published in Bache's paper in Philadelphia ; from memory, it was pretended, on hearing it once read : this furnished an occasion (for which the imperfect sketch had doubtless been calculated) to Mr. Mason, a Senator from Virginia, to publish the entire treaty. With his copy, an incorrect one, I find Mr. Randolph has furnished you. For this violation of his duty (for the Senate, according to their constitutional power, had forbidden the *publication* of the treaty while it was pending) Mr. Mason has received the thanks of these popular meetings.

" The Boston meeting was pretty numerous, said to consist of fifteen hundred persons. They were taken by surprise. Bache posted off to Boston with a cargo of Mason's edition of the treaty. He arrived the day preceding the meeting, for it had been summoned to condemn the treaty upon the publication of the imperfect sketch. A large proportion of the meeting could not have read it, and (the reading of it at the first

meeting was objected to by the Jacobin leaders) it may safely be said that not one of them understood it. At an adjournment their committee produced a string of resolutions which manifested only their precipitation, and their ignorance or perversion of the treaty. But their blind votaries were ready to adopt them, and an express was hurried off with them to the President, with a request that he would not ratify the treaty.

“ The New York meeting was numerous and tumultuous. Discussion was attempted. Colonel Hamilton presented himself to support the treaty. For the noise of the multitude he could not be heard, and the throwing of stones endangered his life. A committee, irregularly named, brought in resolutions at an adjourned meeting, which were, of course, adopted, and also despatched to the President.

“ Philadelphia followed next. At the adjourned meeting I was present to see their proceedings and judge of their numbers. The whole assembly did not exceed fifteen hundred, of whom a full half were Frenchmen and other spectators. The voters did not exceed one thousand. Yet the committee had the effrontery to publish to the world that it was a *general* meeting of the citizens of Philadelphia, the northern liberties and district of Southwark. As the number of souls within those limits are estimated at upwards of fifty thousand, you can judge how inconsiderable a portion of voters attended this meeting. Who they were (excepting the committee, the masters of the show on the stage), you may conclude from this observation of a respectable merchant. Accosting another merchant, who stood near me, he said, “ I have been round among the people here to find a *fellow-creature*, and you are the first I have found.” From the complexion of this meeting, which I saw, I form an opinion of others.

“ The meetings, as Mr. Randolph *predicted*, followed one another from north to south, and soon we saw the proceedings at Charleston. The objections stated there corresponding in some striking features with those at the northward, and without the possibility of a communication of the latter, first suggested to me the idea of a previous concert, by which it was intended that the people should rise in numerous meet-

ings, close at the heels of one another, beginning at Boston, where our Revolution began, and by their apparent numbers, their extension from one extremity of the States to the other, and the zeal and vehemence of their opposition, overwhelm the President, and prevent his ratification. Of such a previous concert nobody doubts, and there is as little doubt that it was formed before the ten dissenting Senators left Philadelphia; and I do not think myself as deficient in charity in supposing Mr. Randolph was privy to it.

“At length the President, furnished with an occasion by the Boston proceedings, declared the principles on which his determination upon the treaty would be given. This was in his answer to the selectmen of Boston, which has been published in all the papers. The same answer was sent to the chairmen or committees of several other meetings.

“The Constitutional principles stated in the answers, and the firmness with which they were avowed, gave a shock to the enemies of the treaty. And about this time men of information, the friends of order and of peace, having well considered the treaty, came forth in its support; particularly the merchants, to whose interests the Jacobins affected to consider the treaty so pernicious.

“This hasty sketch will give you a tolerable idea of the present situation of the United States. With the history of the town meetings, it seemed particularly desirable that you should be acquainted.”

The treaty of peace with Great Britain, at the close of the Revolutionary war, provided that all the forts and garrisons of that power, within the then acknowledged boundaries of the United States, should be relinquished and withdrawn. This stipulation had not been complied with; but British troops still continued, on certain pretexts, to occupy those posts: Jay’s treaty provided for their immediate delivery to the United States. The commander of the forces in the western department was naturally particularly interested in the ratification

of that treaty, and the following letter to Colonel Pickering gives his views in a style characteristic of that distinguished soldier:—

“ HEAD QUARTERS, GREENVILLE, September 15th, 1795.

“ DEAR SIR,

“ I have to acknowledge the receipt of your letter of the 1st ultimo, of a private nature. *The man of straw*, set up by a few *select* men of Boston, after running the *gauntlet* through all the cities and towns on the seaboard, from Portsmouth to Charleston inclusive, has recently been tossed over the Alleghany Mountains into Kentucky, where the *poor fellow* has been unmercifully buffeted through every county, town, and village of that State by *heated mobs*, who, agreeably to fashion, have also resolved and addressed against Jay.

“ Thus a few malcontents in each State, possessing a small portion of the powers of oratory and much spleen, are sufficient to inflame the minds of a giddy multitude for the moment; but the good sense of the people of America will not suffer them to be long imposed upon. Hence they begin to see through this man of *straw*; nor will it be long before the merchants (who are the class of citizens most immediately concerned) of all the trading towns and cities of the United States follow the example of those of Philadelphia and New York, requesting the President to affix his signature to that treaty.

“ I took the liberty to give you my sentiments upon this subject very freely, on the 9th ultimo, and am truly happy to find, since that period, that our wise and great President has actually ratified that instrument, agreeably to the Constitution and advice of two-thirds of the Senate.

“ I do not like the complexion of affairs in Europe. Should some reverse of fortune take place in France, may not the intemperate resolutions and publications which have gone forth from every State in the Union cause the British ministry to be a little tardy in doing away the 12th article? Would not this delay be productive of some unpleasant consequences? The retention of the posts would naturally be one of them, which might have a powerful effect

upon the minds of the Indians, who were informed that the United States would be in possession of them in the course of next summer.

“Nor do I like the encroachment recently made by the Spaniards on the east side of the Mississippi. Does it not bear the appearance of a premeditated co-operation hostile to the United States? Add to this, many turbulent leading characters now in the western country, who perhaps are but too well disposed to encourage a dismemberment of the Union.

“Believe me to be, with very true and sincere friendship,
yours, &c.,

“ANTHONY WAYNE.”

Colonel Pickering addressed the following letter to Washington, on the 30th of September, 1795:—

“DEPARTMENT OF STATE.

“SIR,

“The letter from Judge Walton, covering the proceedings of the meeting at Augusta, against the late treaty with Great Britain, was to have been transmitted in my last, and is now enclosed. I have acknowledged the receipt of the letter and proceedings, seeing they were addressed to the department of State, to be laid before you. Mr. Wolcott concurs with me in opinion that they are not necessary to be noticed by you.

“How such absurd and unfounded opinions on the treaty could be formed by such men as composed the committee, is to me unaccountable; if, indeed, such are their opinions. After acknowledging the letter, as received at this office, I have, in *my personal capacity*, dropped a remark or two on their proceedings. A copy of my letter I take the liberty to enclose.”

TO THE HONORABLE GEORGE WALTON, GEORGIA.

“DEPARTMENT OF STATE, September 30th, 1795.

“SIR,

“I have to acknowledge the receipt of your letter of the 4th instant, addressed to Mr. Randolph, late Secretary of State, covering the proceedings of a meeting at Augusta, relative to the treaty lately negotiated with Great Britain.

The letter and proceedings have been transmitted to the President at Mount Vernon, agreeably to your request.

" My temporary agency in this department renders proper this acknowledgment and information.

" As an *individual citizen*, permit me to notice the opinion expressed in the proceedings, that the part of the twelfth article which prohibits the exportation of cotton, even of the growth of the United States, is still in force, and consequently that Georgia will be particularly injured. But is it not plain that the supposed prohibition was one of the *conditions* to be observed on the part of the United States, in consideration of their being allowed a commerce with the British West Indies? And the Senate, *having refused to accept of that commerce on the conditions proposed*, is it not equally plain that the part of the article which stipulates for the commerce, and the condition on which it was to be carried on, fall together to the ground?

" I hope you will pardon me for being inclined to think that hereafter, if the treaty goes into full operation, ' it will appear astonishing,' not ' that such articles could ever have been subscribed,' but that such objections to them as have been published should ever have been made.

" I am yours, &c.,

" TIMOTHY PICKERING."

" MOUNT VERNON, October 5th, 1795.

" DEAR SIR,

" This is merely intended to let you know that your two letters,— the one official, the other private,— of the 30th ult., have both been received.

" If the authors of such resolutions as are forwarded to me, relative to the treaty with Great Britain, mean well, they will be benefited by such sentiments as you have communicated to Judge Walton; for nothing short of profound ignorance or consummate wickedness could have dictated many of the resolutions which have been received by me since my last arrival at this place.

" I am affectionately yours,

" GEORGE WASHINGTON.

" COLONEL PICKERING."

“ LONDON, November 15th, 1795.

“ SIR,

“ The letter of Mr. Randolph, dated July 21st, had indeed been to me a subject of equal pain and surprise. Combined with the numerous accounts of irregular popular proceedings in different parts of the United States, and with a prejudice discoverable in the minds of almost all the Americans I met, who had recently come from the United States, it induced an unpleasant anticipation of the consequences that awaited the United States from the designs of some and the unguarded hastiness of others among their citizens.

“ It gives me pleasure to observe from your letter that the proceedings of the popular meetings on the subject of the treaty are in every respect less important than, from many circumstances, I had been apprehensive. That the hasty rashness of the meetings was the result of a concerted plan, and that every artifice had been employed to take the people by surprise, and to use them as instruments for a purpose, the success of which would eventually prove their irreparable misfortune, I can readily believe, as I had long suspected, that such would be the case before it happened ; but that the Secretary of State should be accessory to such a manœuvre is what I could not have believed from any opinion less respectable than yours, and of which I would still fain hope he was innocent.

“ The occasion of his resignation you have mentioned, however, as originating in a different source. But, notwithstanding the force of your expression that he had forfeited the confidence of the President, the story, which is not much of a secret here, must be loaded with great exaggerations, if not with absolute falsehood.

“ The intelligence of the pacifications with the Indian tribes, and of the general prosperity enjoyed throughout the United States, while it accounts in some measure for the violence and the arts used to defeat the system to which the peace and prosperity can alone be attributed, is, I would hope, a sure token that all the endeavors to delude the people into a sacrifice of their own welfare will prove as unsuccessful as they have hitherto been.

“ The system of policy pursued by the President since the commencement of the present European war has been encountered by so many difficulties and embarrassments, which the wisdom of his government has removed and overcome, that I feel encouraged in the hope that it will be successfully pursued to the end.

“ I remain, with perfect respect, Sir, yours, &c.,
“ JOHN Q. ADAMS.”

The foregoing passages, mostly from Colonel Pickering's correspondence, relative to the ratification of Jay's treaty, shed an inner light upon that subject. It was in many respects the most momentous crisis in our political history, and put the government to its first great and vital test, proving that popular assemblies cannot usurp the functions which the people of the United States have, in the frame of their Constitution, conferred upon the President and Senate.

The circumstances, frequently alluded to in the preceding documents, that led to the resignation of Mr. Randolph, and brought Colonel Pickering to the temporary charge of the State department, will be explained in the next chapter.

CHAPTER VI.

Policy of France as to the United States.—Fauchet's Letter.—

Edmund Randolph's Resignation.—Colonel Pickering appointed "Acting Secretary of State."—Affair of Captain Rodham Home.—Exchange of Ratifications of the British Treaty.

1795.

THE French Ambassador at Philadelphia, Fauchet, was, like his predecessor, Genet, and his successor, Adet, zealous and assiduous in prosecuting the policy of his own government in reference to the United States. The rulers of France pursued, from the first, a determination to subordinate the United States to their interest; and, to this end, instructed their ministers, consuls, and agents to do all in their power. Finding Washington's administration immovably resolute to maintain the neutrality, absolute impartiality, and strict independence of the country, they resorted to the most extraordinary and unwarrantable means to undermine and overthrow it, entering into intrigues with the party opposed to it, fomenting dissatisfaction, and lavish in the use of money to promote their designs. One of the French ministers was a regular subscriber for eight hundred copies of the leading democratic newspaper in Philadelphia. No pains or means were spared to get information and obtain influence over prominent persons and popular opinion.

A private despatch from Fauchet to the "Commissioner of Foreign Relations" at Paris, dated "Philadel-

phia, October 31st, 1794," by the capture at sea of the vessel that bore it, fell into the hands of the British government, and was transmitted to its representative at Philadelphia, Mr. Hammond, "to be used to the best advantage for his Majesty's service." Mr. Hammond, on the 28th of July, 1795, delivered it to the Secretary of the Treasury of the United States, Oliver Wolcott, retaining in his own hands a certified copy. That same day Mr. Wolcott communicated it to Colonel Pickering. It was a long letter, covering compactly twenty folio pages of manuscript. The original document and Colonel Pickering's translation are among his papers. It is an elaborate and able discussion of American politics, having no particular reference to the British treaty,—its date, in fact, being twenty days prior to the conclusion of that treaty,—but speaks of "the ridiculous negotiations lingering at London." It presents a very curious, but valuable and quite instructive, view of the parties then dividing the country. It is impregnated with the bitterest sentiments of the opponents of Washington's administration, whom it distinguishes as the party of "patriots" and "Republicans," while the supporters of the government are called "aristocrats," and charged with "monarchical tendencies." The letter shows throughout that Fauchet was intimate with the leading ideas of the opposition, and drew his opinions from high sources in that quarter. The interest and importance of the document are in the fact that it portrays the parties of the time from that point of view.

The letter bears evidence of the most imprudent and improper communications made to Fauchet by Mr. Randolph Washington's Secretary of State, and it justifies

the suspicion that from him were received the unfavorable opinions Fauchet entertained of the government party. He says: "The precious confessions of Mr. Randolph alone throw a satisfactory light upon every thing that comes to pass." He states that the insurrection in the western counties of Pennsylvania, on account of the excise on distilled spirits, was purposely magnified, and made the pretext for raising an unnecessarily large force for mere political and party effect, and refers to Randolph as his authority. "Am I not authorized in forming this conjecture from the conversation which the Secretary of State had with me and Le Blanc alone, an account of which you have in my despatch, No. 3?" Again, "This was undoubtedly what Mr. Randolph meant in telling me *that, under pretext of giving energy to the government, it was intended to introduce absolute power, and to mislead the President in paths which would conduct him to unpopularity.*" Fauchet avers that there was a proposal, not only suggested, but urged upon him, to control the political action of certain prominent characters by moneyed bribes. "Mr. Randolph came to see me with an air of great eagerness, and made to me the overtures of which I have given you an account in my No 6. Thus with some thousands of dollars the Republic could have decided on civil war or on peace." The meaning is that "the Republic," — that is, the French government, — by a sufficient amount of money, placed at the disposal of Randolph, might have defeated the plan of Washington to suppress the insurrection by an armed force. Fauchet conveys the idea thus: "Although there was a certainty of having an army, yet it was necessary to assure them-

selves of co-operators among the men, whose patriotic reputation might influence their party, and whose luke-warmness, or want of energy in the existing conjunctures, might compromise the success of the plans. Of all the Governors, whose duty it was to appear at the head of the requisitions, the Governor of Pennsylvania alone enjoyed the name of Republican. The Secretary of this State possessed great influence in the popular society of Philadelphia, which, in its turn, influenced those of other States. Of course he merited attention. It appears, therefore, that these men, with others unknown to me, all having, without doubt, Randolph at their head, were balancing to decide on their party." "Such a union of persons would be matter sufficient to produce resistance in the western counties." Fauchet plainly intimates that it failed in consequence of Randolph's not obtaining from him the "some thousands of dollars," which, at that time, he solicited with such "eagerness." Instead of being bought over, the Governor of Pennsylvania aided in suppressing the insurrection, and actually joined Washington's army.

Such statements as these, as to the conduct of their chief associate in the Cabinet, astounded Wolcott and Pickering. They agreed not to utter a syllable on the subject until seeing the President, and Pickering wrote the letter of the 31st of July, given in the preceding chapter, most earnestly urging his return to Philadelphia "with all convenient speed," "for a *special reason*, which can be communicated," to him, "only in person." The President reached Philadelphia on the 11th of August. That evening Mr. Wolcott handed him Fauchet's letter, of the import of which Colonel

Pickering had apprised him a few hours before. He charged Wolcott, Pickering, and Bradford to continue to be perfectly silent, as he should be, on the subject. He met his Cabinet as usual, the Secretary of State being present, but not the slightest reference was made to the letter. The treaty with Great Britain was fully discussed, and Washington's decision made and declared to his ministers. On the 18th, the treaty was duly and finally ratified by the President. He was determined to discharge that great and momentous duty first, and have it entirely out of the way before broaching the subject of Fauchet's letter to Mr. Randolph. For that long week the secret was kept locked in the breasts of the President, and the Secretaries of the Treasury and of War, and of the Attorney-General. The public business required the restraint, difficult as it was, particularly from the constant presence of Mr. Randolph. A rupture with the Secretary of State, whose signature was necessary to the ratification of the treaty, before that business was consummated, would have greatly embarrassed, and perhaps seriously endangered, the public interests. For this reason, Washington did not suffer his resentment, profound as it was, to show itself, in act, word, manner, or expression, in any form or to any degree.

Randolph, in an abusive public letter against Washington, particularly reproaches him on this ground,—for having treated him, during that week he had Fauchet's letter in his pocket, just as though nothing had happened, or was about to happen, between them, and precisely as ever before.

“At all hours of the day I was ready to obey your summons. On every day, except Sunday, and perhaps twice a

day, I had a private interview with you. Twice I spoke to you of the warmth which Messrs. Wolcott and Pickering had discovered on the 12th in the discussion of the treaty in your room, and which undoubtedly, as it now appears, sprang from a knowledge of that letter. On the 14th, you veiled the meditated stroke by a visit at my house. On the 15th, you invited me in the most cordial way to dine with a party of chosen friends, and placed me at the foot of your table. On the 16th, the same air of hospitality was assumed. Mr. Wolcott had been privy to the letter at least from the 28th of July, and the President of the United States from the 11th of August, and yet he had buried it at the bottom of his soul, until the 19th of August, when the final catastrophe seemed to be secure."

It seems, by this statement of Randolph, that Wolcott and Pickering were not able so entirely to suppress indications of the excitement with which their minds were agitated as Washington was. Indeed, his almost invincible supremacy over passion, his power to bury it deep out of sight, was one of the extraordinary traits of his great character.

On the 19th, the treaty having been finally disposed of the day before, at a meeting of the cabinet, after the transaction of other business, Washington drew from his pocket Fauchet's letter, gave it to Mr. Randolph in the presence of the other Secretaries, and stated that there were matters in it which called for explanation. Randolph read it through, and, upon finishing it, expressed to the President a wish to examine it more at leisure before remarking further upon it, and, after a few words had passed between them, he withdrew, and instantly sent in his resignation. No harsh language appears to have been used on the occasion. A calm but serious civility pervaded the scene, and they parted for ever.

Randolph afterwards complained to the public that the President ought to have communicated the matter to him privately. But as the conduct ascribed to him by Fauchet was a breach of duty to his colleagues, as well as to the President, there was a propriety in having them present. Further, considering the personal and official relations between them, Washington felt the wrong done him by the Secretary of State, if Fauchet's representations were true, so great and of such a nature as to forbid all private conference with him, at least until the matter was, if possible, cleared up, and by explanations that would be satisfactory to his cabinet, as well as to himself.

This narrative of the circumstances attending the discovery of Randolph's intrigues with the French minister, and of his connection with the opponents of the administration of which he was a member, has been drawn from documents and correspondence of the time.

Thirty-one years afterwards, Colonel Pickering wrote an account of the same transactions. The manuscript containing it is entitled "Miscellaneous Notes." Although it carries the reader again over the ground just traversed, it presents interesting incidents, personal traits, and touches of character ; and lifts the veil from the interior scenes of this passage of our history. It tells the story as it lay in his memory. He evidently did not recur at all to the manuscripts in his possession in preparing it, as appears from an uncertainty as to precise dates and otherwise. It is found, however, to be remarkably correct on the main points and as to the subject-matter. Besides illustrating the distinctness and vividness of his personal reminiscences, it is a good specimen of his narrative style.

It has been seen that opposition to Jay's treaty had become the basis upon which the party against the government was arrayed. The extraordinary efforts to prevent its ratification by Washington have been described. "This opposition," Pickering says, "I doubt not, was diligently, though covertly, encouraged by Edmund Randolph, Secretary of State." Owing to his influence, the President was induced to the delay in announcing his decision, which created so much anxiety and surprise among the friends of the government. Colonel Pickering's statement is as follows:—

"The British armed vessels made some fresh captures, under (if I mistake not) a new order of council. This gave a handle to Randolph to urge the President to postpone the ratification, until further negotiations should take place. Under these circumstances, Washington left Philadelphia, to visit his estate at Mount Vernon, and enjoy some relaxation from official duties. Before his departure, he directed Randolph to prepare a memoir, which should exhibit the reasons why the ratification was delayed. These were intended by Randolph to be the basis of a further negotiation. The memoir or statement was to be showed to the heads of departments; and, if approved, was then to be sent to the President at Mount Vernon for his final decision. I was then Secretary of War. Randolph brought it to me; and desired, when examined, that I would hand it to Mr. Wolcott, Secretary of the Treasury. I read the paper, and reprobated it. While it remained with me, Randolph called upon me at my office, and asked my opinion of it. I rose from my seat (I think with the paper in my hand), and, raising my right hand in the air, said, with some animation, 'Why, this is throwing all up in the wind,' expressing my strong disapprobation of Randolph's views and reasons for further postponing the ratification of the treaty.

"Shortly after this interview (I suppose in two or three days; for I heard no more of the memoir), Mr. Wolcott called on me one evening, and gave me information of Fauchet, the

French Minister's letter to his government, implicating some Americans, but, above all, Edmund Randolph, Secretary of State, as corrupt men, and ready to sell themselves to the French government. This letter was taken by a British armed vessel, on board a French packet on her passage to France. It was sent by the British government to Mr. Hammond, its *chargé d'affaires* in the United States. Hammond read it off in English to Mr. Wolcott, and delivered him the letter itself. Wolcott brought it to me. He did not understand French, nor did I. He said it was a very important letter, and of a nature improper to be put into the hands of the common translator. Upon this, I told him that, when young, I had learned a little French; and I would endeavor to understand the letter. By the aid of a dictionary and grammar, I went through with it, long as it was, before I went to bed. The next day, Mr. Wolcott and I rode out to the summer residence of Mr. Bradford, the Attorney-General; and I read off the letter (though with many imperfections, for neither did Mr. Bradford understand French) in English. Having conferred on its contents, it was our unanimous opinion that the President should be requested to return to Philadelphia, as soon as he could make it convenient, on a business or occurrence of great importance, requiring, in the opinion of Mr. Wolcott, Mr. Bradford, and myself, his presence at the seat of government; and Wolcott and Bradford desired me to write a letter to the President accordingly. I wrote the letter. The President was very soon in Philadelphia; of which he gave me notice by his servant, and desired to see me. I was just then finishing my dinner. I hastened to the President's house, where I found him, at the table; and Randolph — cheerful, and apparently in good spirits — also at the table. Very soon, after taking a glass of wine, the President rose, giving me a wink. I rose and followed him into another room. 'What,' said he, 'is the cause of your writing me such a letter?' 'That man,' said I 'in the other room' (pointing towards that in which we had left Randolph) 'is a traitor.' I then, in two or three minutes, gave the President an intimation of what Fauchet, in his intercepted letter, said of Randolph. 'Let us return to the other room,' said the President,

to prevent any suspicion of the cause of our withdrawing.' I had deliberately and carefully made a written translation of Fauchet's letter, ready for the President's examination.

"Soon (probably the next day) the President sent for Wolcott, Bradford, and myself, and consulted us on the course now to be pursued. It was concluded to determine, in the first place, what should be done with the British (Mr. Jay's) treaty. Accordingly we were all convened (probably the next day) at the President's cabinet,—Randolph present. The subject of the treaty was proposed by the President. A discussion took place. Randolph strenuously opposed its ratification, and urged its further postponement. But Wolcott, Bradford, and I urged its immediate ratification; and, in conclusion, the President said, 'I will ratify the treaty.' The cabinet council then broke up.

"The question about the treaty being decided, the heads of departments and Attorney-General were assembled at the President's cabinet, in order (pursuant to a previous arrangement by the President, in consultation with Wolcott, Bradford, and me) to give him an opportunity, in our presence, to communicate to Randolph Fauchet's intercepted letter. The President desired us to watch Randolph's countenance while he perused it. The President fixed his own eye upon him; and I never before, or afterwards, saw it look so animated. Randolph (to whom the French language was familiar) read through the long letter, without any visible emotion. This was admitted by the President, Wolcott, Bradford, and myself, as soon as Randolph withdrew. When the latter had reached the end of the letter, he very deliberately said to the President, 'If I may be permitted to retain this letter a short time, I shall be able to explain, in a satisfactory manner, every thing in it which has a reference to me.' 'Very well,' answered the President, 'retain it.' But, instead of giving the proposed explanation, Randolph sent in his resignation. This, if I correctly remember, was about the 18th or 19th of August, 1795.

"The President had placed a confidence in Mr. Randolph to which he was not entitled; although it is to be perfectly believed that, had he even *suspected* the fidelity of Randolph,

he would, at least, have been guarded against his *artful suggestions*, marked with professions, or indications, that the public welfare was the single object of those suggestions. Disinterested patriotism and integrity governing all his own actions, and too diffident of himself, Washington not only sought information from others, but, when he thought them entitled to his confidence for their ability, and sound judgment, and integrity, he was inclined to yield himself to their views, adopting their opinions."

The remarkable combination in Washington's character of the strongest passions with a power to control them is shown in this affair. It is certain, from Pickering's statement, that the President had never mistrusted Randolph's fidelity to him or to his administration prior to his arrival at Philadelphia on the 11th of August. The disclosure made to him that day was utterly astounding, awakening within him a storm of indignation and wrath. It kindled all the latent fire of his nature; but considerations of public welfare required him to smother it for the time; and he did so instantly. On returning to the room where Randolph was, and for many days afterwards, although often meeting him, there was no sign or indication of indignation in his manners or countenance.

It is probable that Randolph, as he read Fauchet's letter, in the silent presence of the President and the other members of the cabinet, felt it to be the most terrible moment of his life. But he too, as they all acknowledged, manifested a perfect control over his features. What aggravated the distress he must have felt in that trying hour was the fact, of which he could not have been unaware, that on the books of his department he was in debt to the government to a large amount. It is

not unlikely that in conducting intrigues with Fauchet, and under the instigation of his associates in party operations against the policy of the government, he had expended sums under his official charge, expecting, as persons generally do in such cases, that he would soon be able to restore the balance. There is no evidence, it is believed, of intentional pecuniary dishonesty in his proceedings in this respect. Upon leaving the President and cabinet he wrote his resignation forthwith, and upon closing his office, without touching any of the papers in it, locked the bureaus, and drawers and rooms, leaving all the keys in the hands of the janitor of the building. A suit was instituted by the government against him. As he was able, from time to time, he repaid the money, selling his lands for the purpose; but it was not until some years after his death that the account was closed.

As Randolph, after reading Fauchet's letter, declared that he would give satisfactory explanations of what it contained relating to himself, Washington felt it his duty to afford him a fair chance so to do; and accordingly the next day, August 20th, addressed a note to him, giving the facts as to the manner in which Fauchet's letter came into his hands, and saying, "Whilst you are in pursuit of means to remove the strong suspicions arising from this letter, no disclosure of its contents will be made by me, and I will enjoin the same on the public officers who are acquainted with the purport of it, unless something shall appear to render an explanation necessary on the part of the government, and of which I will be the judge."

In pursuing his declared purpose of giving to the public a vindication of his conduct, Mr. Randolph wrote

several notes to the President, desiring information on certain points. Washington, in replying to them on the 27th of September, said "no man would rejoice more than I should to find that the suspicions which have resulted from the intercepted letter were unequivocally and honorably removed."

Mr. Randolph having commenced writing in the newspapers on the subject, Washington on the 21st of October addressed him as follows:—

"SIR,

"In several of the public gazettes I had read your note to the editor of the 'Philadelphia Gazette,' with an extract from a letter addressed to me of the 8th instant; but it was not until yesterday that the letter itself was received.

"It is not difficult from the tenor of that letter to perceive what your objects are; but, that you may have no cause to complain of the withholding of any paper, however private and confidential, which you shall think necessary in a case of so serious a nature, I have directed that you should have the inspection of my letter of the 22d of July, agreeably to your request, and you are at full liberty to publish, without reserve, *any* and *every* private and confidential letter I ever wrote to you; nay more, every word I ever uttered to you, or in your hearing, from whence you can derive any advantage in your vindication. I grant this permission, inasmuch as the extract alluded to manifestly tends to impress on the public mind an opinion, that something has passed between us which you should disclose with reluctance, from motives of delicacy with respect to me. As you are no longer an officer of the government, and propose to submit your vindication to the public, it is not my desire, nor is it my intention, to receive it otherwise than through the medium of the press. Facts you cannot mistake, and if they are fairly and candidly stated they will invite no comments. That public will judge, when it comes to see your vindication, how far and how proper it has been for you to publish private and confidential communica-

tions, which oftentimes have been written in a hurry, and sometimes without even copies being taken; and it will, I hope, appreciate my motives, even if it should condemn my prudence, in allowing you the unlimited license herein contained."

On receiving another letter from Randolph, Washington, on the 25th of October, again wrote to him; but concluded, upon further consideration, not to send the letter. The draught, however, was preserved, and is printed in full by Mr. Sparks, in his collection of the writings of Washington, to which invaluable work every student of the history of that period must be largely indebted. The following extracts from the letter are given to show more completely Washington's views and feelings on the occasion: —

" Your letter of the 24th has been received. It is full of innuendoes. I shall, therefore, once more, and for the last time, repeat, in the most unequivocal terms, that you are at full liberty to publish any thing that ever passed between us, written or oral, that you think will subserve your purpose. A conscious rectitude, and an invariable endeavor to promote the honor, welfare, and happiness of this country, by every means in the power of the executive, and within the compass of my abilities, leave no apprehension on my mind from any disclosure whatsoever.

" To whom, or for what purpose, you mean to apply the following words of your letter, '*I have been the meditated victim of party spirit,*' will be found, I presume, in your defence; without which I shall never understand them. I cannot conceive they are aimed at me; because a hundred times you have heard me lament, from the bottom of my soul, that difference of sentiments should have occasioned those heats which are disquieting a country, otherwise the happiest in the world; and you have heard me express the most ardent wish that some expedient could be devised to heal them. The disclosure to me, by an officer of govern-

ment, of M. Fauchet's intercepted letter, after the contents were communicated to him, was an act of such evident propriety as no man of candor, entertaining a proper sense of duty, can possibly condemn. I am still more at a loss to understand the meaning of these other words in your letter, '*But I shall disclose even what I am compelled to disclose, under the operation of the necessity which you yourself have created.*' Can these expressions allude to my having put M. Fauchet's letter into your hands, in presence of the heads of departments, for explanation of the passages which related to your conversations with him ? or to the acceptance of your resignation, voluntarily and unexpectedly offered ? or to the assurance, given in my letter of the 20th of August, in answer to yours of the 19th (and most religiously observed on my part), not to mention any thing of the matter until you had had an opportunity of clearing it up ; whilst you, on the other hand, were making free communications thereof in all quarters, and intimating to your friends that, in the course of your vindication, you should bring things to view which would affect me more than any thing which had yet appeared ? if neither of these, nor an expectation that I should have passed the matter over unnoticed, or in a private explanation *only* between ourselves, I know nothing to which the sentiment can have the least reference. But I do not write from a desire to obtain explanations ; for it is not my meaning, nor shall I proceed any farther in discussions of this sort, unless necessity should call for a simple and candid statement of the business to be laid before the public."

While these extracts show his disposition to have been just, beneath their language the calm, but deep, stern, and defiant, resentment of Washington is discernible. Randolph, who knew him well, clearly saw it in the letter he had received from him, dated October 21st ; and, as he got no answer to his own letter of the 24th, he thought it best to approach him no more.

Edmund Randolph's father was a Loyalist, and left the

country at the opening of the Revolution. The son, just then come of age, espoused the cause of the Colonies, for which he was disinherited. His uncle, Peyton Randolph, the first President of Congress, adopted him. The family had long been distinguished in Virginia. The father of Edmund was Attorney-General of the Province, as the grandfather, Sir John Randolph, had been.

The account just given of the separation between Washington and Edmund Randolph is a necessary prelude to a scene, now to be described, of which Colonel Pickering was the only witness.

Near the close of the year 1795, Randolph's "Vindication" appeared in a pamphlet. It was marked in some passages with great bitterness and asperity of temper towards the President. "The season is come, Sir," he says, "when, if my obligations to you have not been balanced by laborious and confidential services, the whole account is settled, without ingratitude on my part." He charges the President with having "prejudged the case," with not having withstood "party manœuvres," with having adopted "a system of concealment, under the united auspices of the British minister and the American Secretary of the Treasury," Mr. Wolcott, with a want of "openness," with being managed by Hamilton; "even *New York*," says he, "may have been the birthplace of the scheme" which he charges Washington with having carried out. He intimates throughout that the President had been influenced by those in the interest of the British, and thus been led to a "change of purpose" as to the treaty.

Nothing could have been more adapted to exasperate

the feelings of Washington than this publication, and for a moment it had that effect.

It reached his hand soon after its issue. He read it through, and immediately sent for Colonel Pickering. Receiving him with his usual composure of manner, and requesting him to be seated, he spoke as follows, in a slow and suppressed voice, uttering each word with deliberation, and pausing between the sentences: —

“Colonel Pickering, I feel that a necessity is upon me to unburden my mind to some one, and you will pardon me for the liberty I have taken in sending for you on this occasion.

“Peyton Randolph was my dearest friend. He died suddenly, in October, 1775. In an hour of affectionate and solemn communion, in which he had expressed an expectation that before long he would thus be removed, he begged me to be a friend to his nephew and adopted son Edmund. I promised that I would be to him as a father: that promise has been sacredly kept. If, in any instance, I have been swayed by personal and private feelings, in the exercise of political influence or of official patronage and power, it has been in this.”

Thus far there had been no change in his countenance or manner, except a slight indication of increasing sensibility when uttering the last two or three sentences. He proceeded, with somewhat longer pauses and a more compressed and restrained expression: —

“Upon taking command of the army of the United Colonies, in June, 1775, I made him, then not twenty-two years of age, one of my Aids; as such he was a member of my military family. My entire interest was actively given to place and advance him in the path of political and professional promotion, for which his talents and education remarkably qualified him. By the aid of my influence he rose from one distinguished post to another in rapid succession and, at an early age, in the civil service of Virginia; a member of the

Convention that framed the first Constitution of that State, in 1776 ; in the same year Attorney-General of Virginia,—an office his Uncle Peyton, as well as his father and grandfather, had held ; a delegate to Congress in 1779 ; Governor of Virginia in 1786 ; and a member of the Convention that framed the Constitution of the United States. I made him Attorney-General of the United States, at the organization of the Federal government ; a member of my cabinet from the first. In 1794 I made him Secretary of State, placing him at the head of my official council : in my cabinet, from the beginning, he has been admitted to my utmost confidence. I have held with him a daily intimacy. He occupied the chief seat among the guests at my table.”

At this point Washington rose to his feet,—the pamphlet in his hand,—his whole aspect and manner showing the storm that was gathering, and his voice rising as he spoke :—

“ While at the head of my cabinet he has been secretly, but actively, plotting with the opponents of my administration, consulting and contriving with them for the defeat of its measures ; he, the Secretary of State, to whose trust the foreign relations of the country are confided, has been conducting an intrigue with the ambassador of a foreign government to promote the designs of that government, which were to overthrow the administration of which he, Randolph, was a trusted member, receiving from that ambassador money to aid in accomplishing that object ; soliciting from him more for the same purpose,—all this time I have had entire faith in him, and been led by that faith to pay deference to his representations, to delay the ratification of the British treaty, thereby exposing myself to the imputation of having been intimidated by party clamor from the discharge of a public duty, an imputation contrary to the truth, a thought abhorrent to my feelings and to my nature, and now he has written and published this.”

As he uttered these last words, he threw the pamphlet down, and gave way to a terrific burst of denunciation

in unrestrained expressions. He then calmly resumed his seat. The storm was over. With perfect serenity other business was entered upon, and the name or thought of Edmund Randolph was never again suffered to disturb his temper.

In judging fairly of the conduct of Mr. Randolph, it may be conceded that no violation of rectitude is necessarily to be inferred from his retaining his seat in the cabinet, while holding views, on a particular subject, different from those of his colleagues, or even of the President. Many considerations and influences combined to create an inclination of mind, among the American people, favorable to France at that time,—the profession and the show of republicanism, the spirit and energy of her military operations, her standing alone against all the monarchies of the world, and the remembrance, yet fresh, of the invaluable aid she rendered in the Revolutionary war. The wonder is that an enthusiasm in her behalf did not sweep the whole country into her embrace, and that any administration could have preserved, at that crisis, the neutrality of the United States, and thus saved the life of the nation.

It was natural for Mr. Randolph to have sympathized with France. Many, perhaps it may be said most, of the leading men of his own State did. Fauchet mentions Monroe, Madison, and Jefferson; on the last named he says, “the patriots,” or “republicans,” as he called the democratic, or French party, “had cast their eyes to succeed the President,—a secret that will soon or late be brought to light.” If Randolph, agreeing with them in their feelings, had openly acknowledged it, avoided taking an active part against the government of which

he was a member, and been faithful not to reveal its counsels, he might without reproach have retained his seat in the cabinet. He would, in fact, have been a particularly useful member. It is important to every government that the sentiments of those opposed to it should be justly represented to it.

There can, however, be no justification for his remaining in the administration, and all the while plotting with its opponents; allowing himself to be their "head" and chief manager to break it down. For the Secretary of State to have held such conferences, and placed himself in such relations, with a foreign minister, particularly, in that conjuncture, with the French minister, was a gross impropriety, which it is astonishing he did not realize. In view of the peculiar facts of his personal history, as enumerated to Colonel Pickering in the extraordinary scene just described,—the President, having been his generous and faithful patron, and stood throughout his whole life, since reaching his manhood, in the place of a father to him,—his course was wholly inexcusable, and illustrates, more strongly than any other case in our history, the fatal effect of political influences and passions.

The lesson is an impressive one; for Edmund Randolph was a superior man, of eminent abilities, and not destitute of the finer and nobler sentiments, with the evidence of which it is a satisfaction and a relief to dismiss the subject. Writing to Bushrod Washington, July 2d, 1810, he says:—

"I do not retain the smallest degree of that feeling which roused me fifteen years ago against some individuals. For the world contains no treasure, deception, or charm, which can seduce me from the consolation of being in a state of good-

will towards all mankind ; and I should not be mortified to ask pardon of any man with whom I have been at variance, for any injury which I may have done him. If I could now present myself before your venerated uncle, it would be my pride to confess my contrition, that I suffered my irritation, let the cause be what it might, to use some of those expressions respecting him, which, at this moment of my indifference to the ideas of the world, I wish to recall, as being inconsistent with my subsequent conviction. My life will, I hope, be sufficiently extended for the recording of my sincere opinion of his virtues and merit, in a style which is not the result of a mind merely debilitated by misfortune, but of that Christian philosophy on which alone I depend for inward tranquillity.”

As Mr. Randolph took the intercepted letter for the express purpose of examining it at leisure before making any further remarks upon it, the President expected to see him again on the subject. His immediate resignation left the business of the office in a condition that required attention without delay. Washington conferred with Colonel Pickering at the crisis, who, expressing his sense of unfitness to assume the charge of that department, offered to meet the emergency as well as he could, the President assuring him that, as soon as possible, he would provide a new Secretary of State. With this understanding, Colonel Pickering accepted the appointment of acting Secretary.

Writing to Stephen Higginson, September 22d, 1795, he says : —

“ I have just received the ‘ Centinel ’ of the 16th, in which Mr. Russell has made me Secretary of State, in the room of Mr. Randolph, resigned. But you will believe the President not so unwise as to have tendered, and me not so imprudent as to have accepted, an office to which I am so little compe-

tent. The business of the office could not be suspended, and, from necessity, I have, by the President's direction, undertaken the temporary conduct of it."

Colonel Pickering's language and course, on this occasion, mark a peculiar trait in his character. Although generally bold and confident in his spirit, he had a singular diffidence of his ability to meet the requirements of positions out of the range of his experience. In this respect he was apt to underrate himself. He was very conscientious, moreover, on the subject of office. Circumstances, combining with the call of patriotism, had, early in life, thrown him from the track of the professional occupation for which he had been educated, and on which he depended for a livelihood, and, in this view and respect, to no man was office more desirable; but he avoided any situation, however tempting, unless quite sure that he could execute its duties. It will be remembered that he only yielded to Washington's repeated solicitations, in accepting the appointment of Adjutant-General of the Revolutionary army. He had written a book on the military art, had raised a regiment and marched it to the field; but he doubted his suitability to act as chief Aid to the Commander of the Continental army. So also he shrunk from the post of Quartermaster-General of that army. Experience, however, proved that he was fully equal to each of these positions. Neither the necessities of his affairs, nor the importunities of his friends, could induce him to consent to take a seat on the Supreme Bench of his native State. His short experience at the bar, and disuse for years of habits of legal study, in his opinion disqualifed him. But it cannot be doubted that, had he yielded, he

would have proved an able and discriminating, as well as upright, judge.

In this case, the facts that he had no experience in the field of diplomacy, and that he had not particularly studied the branches of public law pertaining to international affairs, led him to a peremptory conclusion that he was not competent to the care and management of the foreign relations of the country. Events forced him, notwithstanding, to perform the duties, and take the office of Secretary of State. It will be seen that, in this instance also, he undervalued himself.

A matter of the gravest importance was pending when he entered the State department. The main facts, which will be more particularly presented in letters and extracts, may first be briefly stated.

The British ship of the line "*Africa*," Captain Home, had for some time been in front of the harbor of Newport, watching for the French frigate, "*Medusa*," at anchor there. Fauchet, having terminated his mission, was about to return to France. Captain Home became apprised that he proposed to embark at New York in a coasting packet for Newport, to take passage in the "*Medusa*," and he resolved to intercept him. Through spies, employed for the purpose, as there was reason to believe, by Mr. Moore, the British Vice-Consul at Rhode Island, he had received a particular description of the vessel, and of Fauchet's trunks and packages. Contrary winds caused the packet to put in at Stonington, and detained her several days. While there, Fauchet received from Newport such intimations of Home's design as led him to pursue the remainder of his journey across the country, taking with him all important

papers, and particularly valuable articles. The packet, as she proceeded on her way, was boarded from the "Africa," and the remaining trunks and effects of Fauchet opened and examined. Other American vessels were, from time to time, overhauled by Captain Home in the same way. Several men were seized and carried away from one of them, on the pretext that they were British subjects. The Governor, authorities, and people of Rhode Island denounced and prepared to resist such proceedings with great spirit. The militia were called out, and vigorous measures taken, with the approval of the President of the United States, against the British man-of-war. Captain Home sent a letter to Moore, directing him to put it into the hands of the Governor, which was done. It was insolent in its tone, in the highest degree, containing the most impudent "demands," "requiring a written answer to them from the Governor of Rhode Island, and that without loss of time."

The "Medusa," availing herself of a dense fog, put to sea with Fauchet on board. The "Africa" started in pursuit, two hours and a half after, and not above a dozen miles behind her, but the French ship was the superior sailor and reached France in safety.

The papers relating to this extraordinary affair were in December, 1862, transmitted to the Senate of the United States, in answer to its call, with the exception of some letters which Mr. Seward stated could not be found, although "referred to in the correspondence," in the archives of the state department, after a very diligent and careful search.

The following, among Colonel Pickering's manuscripts,

was not included among the papers sent to the Senate. It is evidently referred to in one of them; a letter from Colonel Pickering to Mr. Bond, of September 5th, which speaks of "eventual measures," that had been previously announced. It is given entire, as showing the manner in which he dealt with the subject.

"DEPARTMENT OF STATE, September 2d, 1795.

"To PHINEHAS BOND, ESQ., HIS BRITANNIC MAJESTY'S CHARGÉ D'AFFAIRES NEAR THE UNITED STATES.

"SIR,

"Mr. Hammond, his Britannic Majesty's Minister Plenipotentiary, was advised of the conduct of Captain Rodham Home, commanding the British man-of-war 'Africa,' in stopping and searching on the waters within the jurisdiction of the United States the packet-boat called the 'Peggy,' Thomas W. Bliss master, on her passage from New York to Rhode Island.

"The departure of Mr. Hammond for London, on the 15th of August, occasioned the transfer of this, among the other affairs of his court, into your hands.

"The government of the United States, desirous of acting upon the fullest information attainable, have waited to this time with much solicitude for the statement which Captain Home and Mr. Moore might think proper to make; but, to this day, nothing has been communicated in their behalf to invalidate a single fact exhibited in the deposition of Captain Bliss and his passengers; whence it is justly concluded that the deposition in all its parts is true.

"Those facts support the charge that Captain Home has committed a flagrant violation of the sovereignty of the United States, and of our rights as a neutral nation. You have said, Sir, as some apology for Captain Home, that it was not his intention to touch the person of Mr. Fauchet, the late Minister Plenipotentiary from the French Republic near the United States, but that he entertained the mistaken opinion that he had a right to seize the mail with which Mr. Fauchet was charged. But, Sir, we must resort to Captain Home's actions for the interpretation of his intentions; and, seeing he was

capable of a wanton violation of the territorial rights of the United States in seizing the papers, there was nothing to restrain him from taking the person of Mr. Fauchet.

“ It would have been well if, after the unwarrantable act I have above described, Captain Home had been made to understand and respect the rights of a neutral nation, that he might have avoided a second aggression of a similar nature. I again refer to the right of territory of the United States, within which no foreign officer can exercise authority beyond the limits of the ship or ships under his command. I have this day received from Governor Fenner the protest of Captain John Tillinghast, of the ship ‘ Anne,’ bound into Newport, who, with his supercargo, first mate, and second mate, depose that when their ship was within a mile, or a mile and a half, of the light-house, at the entrance of Rhode Island harbor, the ‘ Africa’ man-of-war, commanded by Captain Home, then lying at anchor about the same distance from the light-house, came to sail, cut them off from coming into the west passage, fired a shot, and brought them to under French colors ; that he sent his boat to the ship ‘ Anne,’ when Captain Tillinghast and his supercargo went on board the ‘ Africa’ with the ship’s papers ; that, on their return to the ship ‘ Anne,’ two officers of the ‘ Africa’ came on board to search for British seamen, being armed with cutlasses and pistols, and the men in the boats with muskets ; that, under that pretext, they took out three seamen, and carried them on board the ‘ Africa.’ Without laying any stress on the information that two of these seamen had been for ten years inhabitants of the United States, where they had wives and children, it is sufficient for me to observe that they were thus taken within the jurisdiction of the United States. A copy of the protest is enclosed.

“ Not content with these infractions of the sovereignty of the United States, Captain Home has added insult to injury. I here refer to his letter of the 31st of July to Mr. Moore, the British Vice-Consul at Rhode Island, which he desired him to lay before the Governor or chief magistrate of the island. In this letter he demands the delivery of a British officer, under pretence that he had been taken on board a British sloop while in Newport, and confined on board the French

frigate lying there; complaining of this supposed taking of the British officer, as 'contrary to the law of nations in a neutral port,' while he had himself recently violated that law in stopping, not a French vessel with whom his nation was at war (though this would have been unlawful), but a packet-boat of the United States, plying within the jurisdiction of the United States, for the purpose of taking Mr. Fauchet, and actually taking parcels of his papers, after ransacking his trunks and the trunks of the American citizens, passengers in the packet. The papers, it is true, were returned; Mr. Fauchet having taken the precaution, the preceding day, to leave the packet with his papers of value. I must remark here that the British officer demanded by Captain Home was a prisoner of war to the French nation, had been brought into Newport in a British sloop, prize to a French armed vessel, but had been liberated on his parole six days before Captain Home's demand was made. I have further to remark that this fact was well known to Mr. Moore, the Vice-Consul, he having given his receipt for him on his liberation.

"The next demand made by Captain Home was 'that Mr. Moore should receive the aid of the civil power of that island to send on board the 'Africa' all British seamen, and *others* who have been captured *in any vessel*, and set at liberty in these States, not a *feigned* and *pretended* aid, but such as the British nation have a right to expect from the United States.' Passing by the indecent insinuation in the words 'not a *feigned* and *pretended* aid,' I remark, Sir, that you know, and Captain Home ought to have known, that in this article the British nation had no right to expect any thing from the United States; that one nation has no right (unless by special compact) to demand of another the delivery of even fugitives from justice, much less of innocent men who sought or found an asylum among them; and you will have observed that in the treaty lately negotiated between the United States and Great Britain the only persons stipulated to be delivered up are criminals, and, of these, such only as are charged with *murder* and *forgery*. It will not escape your notice, Sir, that Captain Home, not contenting himself with demanding the *British*, requires the delivery of *others* captured in any *vessels*, and set at liberty in the United States!

“ The right of the French nation to reclaim their seamen is founded on a formal convention entered into between France and the United States in the year 1788.

“ The third demand of Captain Home is, ‘ that he may be permitted to buy such refreshments as his ship’s company are in need of, and that his people and officers, whom he should send on shore, should not be liable to insults from any of the inhabitants, or others of whatever description,’ adding a threat that if any ‘ affront or insult’ were offered them ‘ he would come in with the ship under his command to *protect* them ;’ or, in other words, to fire on the town, to demolish the houses, and destroy the inhabitants, if his people and officers, copying his own rudeness, should provoke the resentment of the inhabitants or revenge from the French, then at the highest pitch of irritation from the recent outrage attempted by him on the late Minister Plenipotentiary of their Republic.

“ You have seen the letter, Sir, on which I have been commenting, and it has been made public. I may, therefore, spare any further remarks to show how unwarrantable were the two first demands of Captain Home, and how unnecessary the third. The entire letter can alone display the aggravated rudeness and insolence of the writer.

“ An officer, Sir, so insensible to the respect due to the chief magistrate of a State, and so regardless of the rights of a neutral nation, can form no just claim to our hospitality, or to the smallest accommodation that might be derived from an intercourse with the citizens of the United States. I have it, therefore, in command from the President of the United States to inform you that, henceforward, such intercourse with Captain Home and the ship under his command will be forbidden until proper reparation shall be made for the indignities and injuries committed by him against the sovereignty of the United States and the citizens thereof, and against the citizens of a friendly power, under circumstances which entitled them to our protection.

“ I am further to inform you, Sir, that these outrages of Captain Home will be represented to his Britannic Majesty in the confidence that his regard to the laws of nations, to the rights of the United States, and to his own dignity, will inflict

on Captain Home a mark of his displeasure commensurate with his demerits.

“ Thomas William Moore, Esq., his Britannic Majesty’s Vice-Consul at Rhode Island, having co-operated with Captain Home in his indignities practised towards the Government of the United States, and in his insults offered to the chief magistrate of one of them, the President has thought fit to revoke the *exequatur* heretofore granted to the said Thomas William Moore, who is no longer to exercise the functions, or enjoy the privileges of a Vice-Consul within the United States.

“ I cannot close this letter, Sir, without expressing my regret that, at the moment when an amicable adjustment of past difficulties, after years of alienation, gave hopes of returning friendship and good-will,—at the moment when the respective interests of our two nations required a careful avoidance of every act that could excite animosities afresh,—the disagreeable transactions, which are the subject of this letter, should have taken place. While the President of the United States manifests his just resentments against the violation of their rights and dignity, he will use his authority to secure, with impartiality, to the ships and subjects of his Britannic Majesty, all those accommodations and advantages to which they are entitled from a neutral nation whose rights they respect.

“ I am, Sir, with great consideration, your most obedient servant,

“ TIMOTHY PICKERING.”

As the British Captain and Vice-Consul had insulted the Governor of Rhode Island, the President emphatically vindicated the dignity of that State, and redressed the wrong that had been committed upon it, by directing that their punishment should be inflicted by the hand of its Governor. On the 5th of September Colonel Pickering wrote an official letter to the Governor of Rhode Island from the department of State, informing him that the “ reasonable time ” having elapsed, and “ no

satisfactory explanations" having been given, the President had decided to execute the measures which his duty required him to take to vindicate the sovereignty and rights of the United States. The letter thus proceeds:—

"In pursuance of this determination, I am now to desire your Excellency to communicate to the said Captain Rodham Home the demand of the President of the United States, that he immediately remove from a station, within the jurisdiction of the United States, where he has violated, and continues to violate their rights, and that he forthwith liberate the three seamen, to wit, William Jones, John Caton, and George White, whom, with an armed force, on the 24th of the last month, he seized and took from on board the ship 'Anne,' John Tillinghast, master, then sailing within the jurisdiction of the United States, and carried on board the said ship 'Africa,' where they are detained. I am also to request your Excellency to make known to him, the said Captain Home, that, after forty-eight hours from the time these requisitions shall be communicated to him, all intercourse between the citizens of the United States and the ship under his command will be forbidden. Those only can claim the rights of hospitality who respect the laws and rights of the nation on which the claim is made. To such, of whatever nation, the President desires, with perfect impartiality, to render and secure all those accommodations and advantages to which they are entitled from the United States.

"I have the honor to enclose an act of the President, by which he has revoked the exequatur formerly granted to Mr. Moore, as Vice-Consul at Rhode Island, and to request your Excellency to cause the same to be published."

Colonel Pickering, the same day, communicated to Mr. Bond, the British *Charge d'Affaires*, the action of the President; and also addressed another letter to Governor Fenner, authorizing and desiring him to call out the militia, if necessary, to secure the exclusion of

the “Africa;” and all her officers and crew, from the shores of Rhode Island.

In consequence of these spirited measures, the “Africa” was removed from the North American coast to the West India Islands, and returned no more.

At this time, and subsequently, the correspondence of the State department relating to the above transactions was quite voluminous, not only with Mr. Bond and Governor Fenner, but with Adet, the French Minister at Philadelphia; with Mr. Monroe, the American Minister in France; with Mr. Pinckney, American Minister at London; and, in his absence while at Madrid, with his Secretary of Legation, William Allen Deas, and with John Quincy Adams, then in London, on a special mission. Writing to the last-named, September 12th, 1795, after giving an account of Captain Home’s outrages, Colonel Pickering thus speaks of the impressment of seamen in American ships by other British officers as well as Captain Home:—

“ If Britain studied to keep up the irritation in the minds of Americans, and wished to prevent the return of our good-will, some of her naval commanders appear perfectly qualified for the object. But we believe she has very different views. We consider such proceedings as obnoxious to her government as they are injurious to us. To vindicate, however, the honor of that government, justice must be done. Our seamen should recover more than their liberty. Liberal damages should be accorded them; and such naval officers receive exemplary punishment. Further, to prevent a repetition of such atrocious acts, more pointed orders must be given, and the consequences, to those who violate them, rendered severe and certain.

“ This evil is of such magnitude, and so frequently occurring, Great Britain ought, for her own sake, to agree to some regu-

lation calculated effectually to protect our seamen, if the return of our friendship and its good consequences be really objects worth obtaining, or if justice and humanity constitute parts of her character."

In one of his letters to Colonel Pickering, John Quincy Adams — after relating a conference he had just had with Lord Grenville on the subject of the conduct of Captain Home and Mr. Moore, in which Lord Grenville exonerated Mr. Moore for delivering the insulting letter to Governor Fenner, on the ground that Moore, being inferior in rank to Captain Home, was bound to obey his orders, and communicate the letter accordingly — characterizes it as "a reason to justify vicarious insolence, which, however consonant to the practice of this country, will be considered as more than disputable in the United States."

Mr. Deas, Secretary of Legation at London, in the absence of Mr. Pinckney, and before the arrival of Mr. Adams, had sometimes to make communications to the British Court. Colonel Pickering, in one of his letters to him, gives this advice : —

"DEPARTMENT OF STATE.

" When, in the correspondence from this office, the feelings and resentments of the people of the United States are expressed in warm and indignant terms, it is by no means intended that the language of such letters should be used in addressing a foreign court. The prudence and discretion of the minister or agent is relied on to express those feelings and resentments, and the expectations of redress, in terms adapted, not only to the nature of the case, — to the correspondent right in the foreign court to judge of the propriety of its own orders, and the conduct of its officers in executing them, — but even to its pride ; for, while this passion repels whatever wears the semblance of reproach, it often yields to mild language, and firm but respectful representations ; and always,

where peace and friendship are the objects of pursuit, words as well as actions must be conciliatory."

The circumstances that have now been related, growing out of Captain Home's attempt to intercept Fauchet, constitute an interesting passage in the history of Rhode Island. Governor Fenner maintained the dignity of his station with spirit and firmness, and his General, Martin, showed himself a vigilant and brave officer. The haughty commander of the British two-decker was compelled to keep his distance by the militia of the neighborhood, whose bayonets bristled at every accessible point along the shores of the gallant little State.

But the story has been told at length for another reason. The party that supported the administration of Washington was denounced by its opponents as not being faithful to the rights of the States, and some went so far as to say that it designed to undermine them. It was also charged with seeking the favor of Great Britain, to the prejudice of the interests of France. It is a remarkable and memorable fact, that the first services of Colonel Pickering, in managing the affairs of the State department under Washington, were, to vindicate, at all hazards, the authority of one of the smallest States, and to maintain the sovereignty which it shared equally with the other United States; and to resent an affront committed by a British officer upon an Ambassador of France, returning from diplomatic employment in this country in an American vessel within the jurisdiction of the United States; forbidding the perpetrator of it, a person of high rank and influence, in command of a ship of the first class in the British Royal Navy, from entering the ports, or landing, himself or any of his offi-

cers or crew, on the shores of the country; and directing the local militia to be called out to repel any attempt so to do; and also depriving a British Vice-Consul of the right to exercise his commission in any part of the United States, for complicity in that affront, as well as for taking part in an insolent communication addressed by the same British naval commander to the Governor of the State of Rhode Island.

The perfect and fearless impartiality of Washington's administration is demonstrated throughout the transaction. It deserves to be perpetuated in the political and public history of the United States, and to occupy the space that has been given it in the biography of the Secretary of State for the time being.

Another matter, which admitted of no delay, requiring some one to fill the place of Secretary of State forthwith, led to Colonel Pickering's appointment to the office immediately upon Mr. Randolph's resignation, to hold it temporarily, as the understanding was, until the President should provide a permanent Secretary,—and that was, the exchange of the ratifications of the treaty with Great Britain. In the absence of Thomas Pinckney, on his special mission to Spain, his Secretary of Legation, Mr. Deas, discharged the ordinary business of the office. It was thought that the exchange of ratifications required a person of higher diplomatic rank, and John Quincy Adams, then Minister Resident at the Hague, was called to represent the United States at London on the occasion. The following were the instructions under which he was to act:—

“DEPARTMENT OF STATE, August 25th, 1795.”

“SIR,

“The first part of the business for which you are called to London by my letter of the 14th instant is the exchange of ratifications of the late treaty between the United States and Great Britain. The documents now transmitted as relating thereto, are: 1, a copy of that letter; 2, a printed but authentic copy of the treaty, and resolution of the Senate advising the ratification; 3, a copy of the memorial from the department of state to the British Minister Plenipotentiary near the United States; and, 4, a letter from the President to his Britannic Majesty, indicating the functions which you are destined to fulfil.

“At the earliest possible moment after your arrival in London, you will communicate to the proper persons belonging to the British ministry your mission, as stated in the memorial, and request that the conferences necessary to its conclusion may be expedited.

“When you shall come into conference, you will declare that you are possessed of the ratification, as was promised in the memorial, but that you are instructed to inquire into the existence of a late order, said to be issued under the authority of his Britannic Majesty, for the seizure of the provision vessels even of neutral nations. If the order does not exist, or, existing, does not operate on the vessels of the United States, you will proceed to accomplish the exchange of ratifications, as is hereinafter mentioned. If the order does exist, and does operate on the vessels of the United States, you will make such representations as that order shall suggest relative to the interests and situation of the United States, to the end that it may be removed; and particularly that the ratification of the President must not be construed into an admission of the legality of the said order. Minute instructions cannot now be given concerning that order, as our accounts of it are very imperfect. But, if, after every prudent effort, you find that it cannot be removed, its continuance is not to be an obstacle to the exchange of ratifications.

“When, therefore, these preliminaries as to the order shall be finished, you will produce the President’s ratification; and

offer to exchange the same in behalf of the United States, for an equivalent ratification on the part of his Britannic Majesty,—that is, for a ratification corresponding with the advice and consent of the Senate.

“ The negotiations to be made, after the exchange of ratifications, will be marked out in other instructions.

“ If, on the part of the British king, a ratification shall be exchanged conformably with that of the President, then you will immediately despatch, by the most expeditious and safe conveyances, three copies of the British ratification, addressed to this department. For the attainment of expedition and safety, you will be at liberty to incur a reasonable expense. Congress will meet on the first Monday in December next; and it is, therefore, desirable that the British ratification should be here early enough for the taking of certain necessary steps concerning the treaty before that time.

“ You will, also, in the event of an exchange of ratifications, urge that orders be immediately given for the execution of the second article, respecting the evacuation of the posts, and for the proper measures, which are thereby provided for, to be taken by concert between the government of the United States and the British Governor-General in America, for settling the previous arrangements which may be necessary respecting the delivery of said posts.

“ The agreement which is to be made, in pursuance of the eighth article, respecting the pay of commissioners, will also be attended to. In the fixing of the quantum, you will observe due economy. Mr. Hammond has intimated £1,500 sterling per annum to each; except the commissioners for determining the river St. Croix, for whom £1,000 per annum was proposed. Beyond these sums you are not to go; and you will endeavor to reduce them as low as propriety will admit.

“ If his Britannic Majesty shall refuse to ratify, on the conditions required by the Senate, you will say, that, being possessed of only one form of ratification, you will, without delay, forward to the President his said Majesty’s determination; and will wait, without taking a definitive step, until you shall receive further orders. In this case, you will perceive the importance of the information to us, and that it will be neces-

sary, unless you have at least two immediate opportunities, to hire an advice boat to bring the intelligence to Philadelphia, or to some port near at hand.

“ If Mr. Pinckney should unexpectedly return to London, before this part of the business is finished, you will place it in his hands (he being the ordinary Minister, and having co-operated in the negotiation), unless indeed it should appear to Mr. Pinckney unadvisable for him to enter into it.

“ By the special command of the President.

“ TIMOTHY PICKERING,

“ At this time executing the office of Secretary of State.”

The following passages from a letter of September 12th, 1795, to James Monroe, then American Minister at Paris, give an idea of Colonel Pickering’s diplomatic style, and of his views on international relations : —

“ It cannot be doubted that the United States have a powerful interest in diminishing, by treaty, the catalogue of contraband articles as much as possible ; to this they are invited no less by their pacific policy, which inclines them to cultivate and extend neutral rights, than by the operation of the law of nations upon several valuable articles of export, — the produce of our own country. No nation can be suspected of insincerity in the pursuit of objects connected with its immediate interest ; accordingly, the most zealous exertions have been uniformly made by the United States to establish principles favorable to free commerce.

“ The proper authorities of the United States are the exclusive judges, and competent guardians, of whatever concerns our interests, policy, and honor ; and, on these subjects, they will never ask the advice, nor be governed by the counsels, of any foreign nation whatever. We acknowledge ourselves bound to stipulate nothing which may derogate from our prior engagements. This we have not done by the present treaty, and this we will never do. Even in cases where we are not bound by treaty we will not stipulate to surrender our rights as a neutral nation, to the injury of our friends ; but we must be left to determine in what manner we can most beneficially obviate an evil, and when it is proper for us to

repel an injury. The present situation of Europe admonishes us to avoid the calamities of war. Having attained the possession of a free and happy government, and having nothing left to hope or desire beyond our present internal enjoyments, our solicitudes are principally attracted to the vexations and depredations committed upon our commerce. These are, indeed, great, and are inflicted upon us by all the parties to the war; notwithstanding which, our commerce has continued to be lucrative and extensive, though, unfortunately for us, as we have no means of protecting it against injustice, it is vulnerable in the same proportion that it is extensive.

“ Some men, forgetting their own professed principles, when they advert only to our relation to Great Britain, forgetting that they are the citizens of an independent State, have said that while France, with whom we have a treaty of amity and commerce, was at war, we ought not to form with her enemy a similar treaty, by which our situation would be changed. But where is the principle to support this rule? And where will it find any limits? We have treaties with many other powers, one or the other of whom may be always at war: are we never, then, to make another treaty?

“ Others have said, France will be *displeased*. This we should regret for two reasons: one, because we really wish to please our old and friendly allies; the other, because we desire to see — and doubt not we shall see — her deportment towards us correspond with her own fundamental principle, that every independent nation has an exclusive right to manage its own affairs. All our external duties centre here, that in our new engagements we violate no prior obligation.

“ That France should manifest a watchful jealousy of any connections we might form with her ancient and inveterate enemy, is perfectly natural. It is the same spirit which prompted her to afford us that efficient aid which was so important to the achieving of our independence. By breaking off so large a portion of the British empire, the power of a formidable rival was essentially diminished. No wonder she should now be alive to the remotest prospect of reunion, — not of government, but of interests and good-will. But, to the following positions you may give all the solemnity of truths.

“ That the late negotiation has not proceeded from any pre-dilection in our government towards Great Britain. We abide by our original declaration respecting the British ; ‘ we hold them, as we hold the rest of mankind, enemies in war, in peace friends.’

“ That the government of the United States is sincerely friendly to the French nation. The latter doubtless believe that the body of American citizens are well affected towards them. The belief is well founded. But it is equally applicable to those in the administration of the government. If any thing could weaken this general attachment, it would be a recurrence to such disorganizing projects and outrages on the sovereignty and dignity of the United States, as marked and disgraced the ministry of Genet. The precipitate, and, in the main, ill-founded resolutions of a few small popular meetings are not to be taken as true indications of the American sentiment ; very different is the opinion of the great body of the people. These are, beyond example, prosperous, contented, and happy. Where any symptoms of another nature have appeared, they are to be traced to ignorant or perverse misrepresentations of the treaty. This, as it becomes better understood, is more and more approved.

“ It is our interest to remain at peace. And the President, as the first minister of good to the people, is bound to take all reasonable and prudent means to preserve it. Peace is the ordinary and eligible state of our nation ; and your duties, as its agent abroad, result from this condition of our country. And as nothing has yet happened which renders it in any degree probable that the United States will become a party in the existing war, every intimation which may invite the expectations and enterprises of the French government, calculating on such an event, is therefore carefully to be avoided.”

During the period that Colonel Pickering was Acting Secretary of State, in temporary charge of the duties of that department, conducting the foreign relations of the country at that very critical time, he continued to be

Secretary of War, holding important and voluminous correspondence with General Wayne, Commander-in-Chief of the north-western army, and the commandants of posts and garrisons in other parts of the country. The war department embraced the Indian relations of the United States, then requiring the most careful attention. Treaties had to be made with tribes, in the west and south, involving a great amount and variety of labor on the part of the Secretary of War. He was also charged with the administration of the navy in its infancy, providing for navy yards, the supplies and equipments of vessels, the appointment of officers, and the designation of their stations, and of the cruises of the ships under their command. He was particularly occupied and interested in building the three frigates destined to perform such a glorious part in the naval triumphs of the country.

Perhaps a greater accumulation of official responsibilities has never been, at the same time, upon one man. His correspondence in all these directions, sustained and corroborated by the public records and archives, shows that he was fully equal to the work. He easily and steadily bore the great burden as on herculean shoulders.

CHAPTER VII.

Colonel Pickering Secretary of State.— Still called to Discharge some Duties of the War Department.— Harper's Ferry Arsenal.— Military Establishment.— Regulating Trade with the Indians.— West Point.— “Talk” to the Cherokee Nation.— Letter to the Oneida Nation.— The Frigate presented to the Dey of Algiers.— The North Eastern Boundary Line.— Seizure of American Vessels and Impressment of Sailors.

1795, 1796.

WRITING to Alexander Hamilton, on the 17th of November, 1795, Colonel Pickering makes the following statement: —

“ Near three months have elapsed since the office of Secretary of State became vacant. At that moment, matters of magnitude respecting the treaty with Great Britain demanded attention, and the general business of the office could not be suspended. With the President's approbation, I undertook the conduct of whatever required the uninterrupted agency of that officer,— hoping, however, to have been relieved long ere this time from the burthen. The President, I know, took immediate measures to fill the office. He first tendered it to Judge Patterson, then to Governor Johnson, of Maryland, to General Pinckney, and to Mr. King, in succession ; and by all it has been refused. The three former nominations the President early communicated to me, but the last he did not mention till about six days ago ; nor, indeed, till then, had he spoken of the subject since his last return from Mount Vernon. He recited these attempts to fill the office of Secretary of State, and that finally he had, through Colonel Carrington, made a tender of it to Patrick Henry, who also declined it. In the event of this repulse, he proposed to Colonel Carrington's acceptance the department of war,

under the idea of removing me to the department of state. Colonel Carrington chose to remain where he is. The President, having given this detail, made me the tender. I declined it, as not possessing the talent so much to be desired in a Secretary of State, in the propriety and ability of whose conduct the dignity, as well as the interests, of the nation were so materially involved. On various grounds the President urged my acceptance; and, after the many fruitless endeavors he had used to fill the office, I felt reluctant to give him a denial. I promised to consider of it.

“ The same day Mr. Wolcott called upon me. I found he had been consulted. I related what had passed, and he pressed me to accept the office, but I remained undecided. We repeatedly conversed about it afterwards. I still wished the office in abler hands. Last Friday evening, going to see Mrs. Washington, I found the President and Mr. Wolcott in the antechamber, the President’s countenance manifestly uneasy. As soon as an opportunity offered, I spoke to Mr. Wolcott. The President was anxious for my determination, and again Mr. Wolcott urged me to take the office. I reflected a few minutes; the company retired; and I then made the President the following declaration:—

“ That I wished to keep him no longer in suspense, and that I would accept the office of Secretary of State; but, as I had no ambitious views, and fresh embarrassments might arise in his attempts to fill the department of war, I would propose, with submission to his opinion, that things should remain for the present as they were: I would continue my attention to both departments; if that of war could be filled to his satisfaction, I would go to the department of state; if a character well adapted to the latter should present, I would remain where I was. In one word, to free him from all embarrassment, I would serve in one office or the other, as the public good should require. The President answered, ‘ That is very liberal;’ and desired me to call the next morning to consider of a successor in the department of war.”

In a letter to Christopher Gore, written some years afterwards, he describes this conversation in similar

terms, and states that he used this language to the President: "My life had been spent in business, not in study; the office required knowledge and abilities which I did not possess." He says that he used this argument with the President to induce him to delay appointing a Secretary of State at that time: "Congress will meet in two or three weeks, and if, in the mean time, you do not think of another candidate, you can then inquire of members having your confidence, from different States, and they may mention suitable names which do not now occur to you."

Without speaking to him again on the subject, Washington nominated him to the Senate when Congress came together, in the first week of its session.

Similar difficulty was experienced in getting a suitable person to accept the office of Secretary of War. In the critical state of the foreign relations of the country at that time, and the increasing violence of parties and factions at home, men shrank from assuming responsible posts in the government. Washington felt himself deserted, and he could hardly conceal his perplexity and embarrassment. It is not surprising that his countenance, usually so serene, manifested "uneasiness" under the weight he had to bear alone. A feeling that he ought not to be left without support, prompted Colonel Pickering to relinquish his reluctance to assume the permanent conduct of the department of state.

On the 12th of December he wrote to Mr. Higginson as follows:—

"An event of this week, which the newspapers will announce, reminds me of your premature congratulation, and of the sentiments I was thereby led to express. But, without

suspecting my sincerity, the long interval which has preceded my actual appointment to the office of Secretary of State will present to you a variety of motives to produce a change in opinion. The truth is, however, that the tender of the office, made to me about three weeks since, was wholly unexpected ; and, so far from being solicited, I declined accepting it absolutely, while there should remain a chance of its being filled more to the President's liking. So, at last, I am in it—just as, for upwards of three months, I have been executing the business of it — from necessity, and not from choice. At the same time, the experience derived from my temporary agency, during the period mentioned, has convinced me that its duties, *in general*, may be comprehended and performed without much difficulty.”

Mr. Higginson replied, on the 30th of December, 1795, as follows :—

“ Some points may arise in the duties of the new office which may be new to you, and may call for an attention to subjects with which you have not been so conversant as with the business of your former station. But none can arise which, with your old habits of attention and reflection, will not soon become easy and familiar.

“ The new station may require more of the *suaviter* to qualify the *fortiter* ; and this, to me, would be the most difficult part of the business. In the intercourse between governments, or the officers of governments of different nations, especially those of state, custom has established a certain manner or style of communication, which we call courtly ; and this is, in a certain degree, I suppose, indispensable to propriety. In this kind of intercourse I have often thought it would be eligible to adopt some of the maxims of Chesterfield, which apply to the manner, and to avoid the principles of Machiavel, which relate to both manner and object. A man cannot be too close or concealed as to his object, in some cases, the manner being good ; but deceit, by saying or doing any thing purposely to mislead or to entrap, can rarely be necessary or justifiable. By the former we only guard our-

selves against danger from an exposure, but the latter is calculated to gain an undue advantage over others, the very thing which, by the other, we guard against ourselves. In a government like ours, an open and manly frankness, in all cases where no danger can result to our object from exposing it, is very proper. It is an engaging feature in the republican character. But cases will often arise, in our intercourse with the Europeans especially (who will not be equally candid and open), in which we may hazard our interest by too much frankness and sincerity; with them it may be dangerous to avow our object. It is sufficient if we avoid duplicity, and become frank and open as the business ripens.

“ This kind of reflections have often passed my mind when this subject has occurred, and I have now hinted them, supposing that your feeling inadequate to the duties of the new office, as you suggested in your former letter, originated in your not having been accustomed to that kind of caution and regard to appearance and manner, &c., in such communications.”

It is not unlikely that Mr. Higginson’s suggestion is correct, and that Colonel Pickering’s original refusal to take the place of Secretary of State, and the extreme reluctance with which he finally consented, were caused to a considerable extent by a feeling on his own part, that it would at times require a degree of *finesse* of which he was incapable, — a restraint upon that openness and freedom of expression which was a part of his nature, and a conformity with usages of mode and language repugnant to his tastes and feelings. This apprehension was, perhaps, entertained by others of his friends besides Mr. Higginson. It might have been, although not expressed, in the mind of his brother-in-law, Paine Wingate, who, in a letter to him of Nov. 7th, 1795, had communicated a wish that he might remain in the office of Secretary of War. “ I should be glad

to know whether you expect permanently to continue in the office of Secretary of State, or to remain Secretary of War. The former place, I should suppose, would be the least laborious to you ; but in the latter I think you could, by your economy, best serve the public. You will excuse my thus intruding my opinion. I feel interested in your own welfare and happiness, as well as the prosperity of our common country.” It seems inferrible from this language that Judge Wingate, for some reason, thought it for his “welfare and happiness,” to remain in the more laborious office.

Colonel Pickering’s truthfulness of character led him in conversation, in writing, and in debate, often to say what men, considered more prudent, would suppress. What he said was said plainly, without disguise, and with emphatic force. All conventional phraseology in personal intercourse, or in correspondence, if extravagant in its terms, or expressive of sentiments not really entertained, was scrupulously shunned. He was, however, polite in his deportment, and respectful in his bearing towards persons of all conditions. On all proper occasions he was courtly after the manner of the old school. When circumstances required it he regarded the rules of etiquette. He was punctilious in meeting all that courtesy could truly and justly demand. Notwithstanding the plain, semi-quaker simplicity of his garb, and the total absence of what might be considered fashionable, his commanding aspect in frame and feature ; the stamp of energy, firmness, intrepidity, and integrity on his mien ; and his quiet self-composure, — excited a mingled sentiment of respect and admiration in every company. The stern boldness of his forcible expres-

sions, irritating and exasperating as they were to political opponents in heated party strifes, never gave offence in private intercourse, or social circles.

These traits in his manners and character, taken together, instead of being obstacles in his way, really promoted his success in the conduct of diplomatic affairs. His own misgivings and the anxiety of his friends were found superfluous; and there is no reason to suppose that any minister of State ever enjoyed the confidence of his own government, his associates in its management, his official subordinates, and the representatives of the country abroad, or the esteem and good-will of foreign functionaries generally, more than he did during the administration of Washington.

After his regular appointment as Secretary of State, several subjects of much importance, properly belonging to the office of Secretary of War, were left to be managed by him. His experience and special qualifications to attend to them led Washington, no doubt, with the full consent of the new Secretary of War, to determine on this arrangement. The consultations and investigations relative to the location of a national arsenal and its establishment have already been mentioned. On the day after Mr. McHenry entered upon his duties as Secretary of War, Colonel Pickering received the following:—

“ By the President’s order Mr. Dandridge respectfully returns to the Secretary of State the several papers respecting a site on the Potomac for the public arsenal. The President directs Mr. Dandridge to inform the Secretary that, after an attentive examination of his report of the 26th instant, and the above papers, and weighing the advantages and disadvantages of the several places which have been contemplated for the arsenal, he conceives, with the Secretary, that at the junction of the rivers Potomac and Shenan-

doah combines the greatest advantages ; and, of course, is the most eligible spot. The President desires that the Secretary will cause measures to be taken immediately for purchasing the land and erecting the necessary works at the above place, in conformity to the act of Congress for establishing public arsenals, &c.— 28th of January, 1796."

The Secretary of State assumed the charge, and, after much correspondence with the proprietors of lands needed and with other persons, the business was accomplished ; the necessary buildings, mills, and works constructed ; machinery procured and put in operation ; and the establishment fully organized.

The following papers show how other business of his previous office followed him :—

TO THE PRESIDENT OF THE UNITED STATES.

January 30th, 3 o'clock.

" It being too late personally to wait on the President, Colonel Pickering respectfully informs, that a committee of Congress on the military establishment have wished a communication of the ideas of Colonel Pickering on that subject. The committee deemed it improper to ask those of the President ; at the same time it seemed apparent that they would be glad to know them. The committee proposed to meet next Monday morning. Colonel Pickering will then wait on the President to receive his directions and opinions on this subject. Colonel Pickering begs leave also to remark that there are several vacancies in the corps of artillerists and engineers, occasioned by deaths and resignations ; and, as nobody seems to entertain an idea of the reduction of this corps, he respectfully submits to the President's decision, whether the vacancies should not be filled.

" TIMOTHY PICKERING."

TO THE PRESIDENT OF THE UNITED STATES.

February 2, 1796.

" SIR,

" At the request of the chairman of the committee on the bill for regulating trade with the Indian tribes, I furnished

him with a copy of Governor Blount's letter mentioning the intended intrusions on the Cherokee lands, and also with a copy of the Attorney-General's letter to me on that subject. The chairman called upon me last evening, and suggested that, if the President officially communicated Governor Blount's letter to Congress it might have a good effect to enforce the provisions contemplated in the bill to prevent such outrages. The chairman's opinion appearing to me correct, I immediately draughted a short message, which, with its object, is respectfully submitted to the President's determination.

“ The chairman left the enclosed copy of the bill, which it may please the President to peruse. I will wait on the President at 10 o'clock to receive his commands in this matter.

“ Some amendments, suggested by the Attorney-General, the chairman proposes to move to have introduced. I am most respectfully, &c.,

“ TIMOTHY PICKERING.”

It has been stated that, in the early part of the year 1783, Colonel Pickering, at the request of the Commander-in-Chief, in view of the approaching close of the Revolutionary war, presented an elaborate report on a peace establishment, in which he recommended the institution of a military academy at West Point. He suggested that young men should be prepared therein to enter, as officers, the regular army, as vacancies and promotions should occur, “a few instances excepted where it would be just to promote a very meritorious sergeant.” Its students “should be instructed in what is usually called military discipline, tactics, and the theory and practice of fortification and gunnery, — to be allowed subsistence at the public expense. If any other youth desired to pursue the same studies at the military academy, they might be admitted, only subsisting themselves.”*

* Appendix A.

President Washington recommended to Congress such an academy in 1793, and it was finally established by law in 1802.

While Colonel Pickering was Secretary of War, he kept this project before him. A corps of artillerists and engineers was attached to the army, with its head-quarters at West Point. Scientific foreign officers were secured and stationed there. He particularly supervised the administration of the garrison, and sought to give it the character of a school devoted to the higher branches of the military art; thus paving the way for the ultimate conversion of that post into a military academy. It remained under his special charge during his whole service as Secretary of State, and his papers show, in the amount of correspondence with its commandants, with what constant interest and vigilance he watched over it.

Some instances have been mentioned in which Colonel Pickering had the courage, under a sense of public duty, to encounter the risk of displeasing those whose good opinion he highly valued and was of great importance to him. He was particularly attached to James McHenry, his successor in the office of Secretary of War. In the last year of his administration, President Washington felt inclined to make a special address to the Cherokees, with a design, no doubt, of leaving a salutary impression upon all the Indian tribes, and requested the Secretary of War to draw it up. Colonel McHenry had not, it is probable, been much in contact with Indians; at any rate, he was not familiar with their modes of thought and sentiment; but he undertook the task, and prepared what he called a "talk of the President of the United States to his beloved men of the Cherokee nation." He

sent a copy of it, printed on a large sheet, to Colonel Pickering, who, upon reading it, became convinced that it was wholly unsuitable for its purpose, and open to great objection in its style and expressions. But it was an elaborate production, and had received the indorsement of Washington; been adopted by him, prepared for publication, and printed by his order, although not yet issued. It was a delicate matter to make any strictures upon it, particularly at that stage. But Colonel Pickering was so sure that it would produce injurious effects upon the Indians, and upon the credit of the administration, that he threw all personal considerations aside, inserted, by interlineation, erasures, and marginal corrections and criticisms, a variety of amendments, cutting up the document pretty thoroughly, and sent it to the President, with the following letter: —

(PRIVATE.)

“ September 2d, 1796.

“ SIR,

“ The day before yesterday, Mr. McHenry put into my hands a printed talk of the President of the United States to the Cherokee Nation. I had not opportunity of examining it till to-day. You will permit me, Sir, to say that it appears to me in many parts exceptionable. As it was handed to me, not for advice, but merely for information of a thing done, I think it most proper to communicate my ideas directly to you. The alterations and omissions, which appear to me expedient, are marked on the printed talk itself, which I enclose. Mr. McHenry has aimed at a familiarity of style, as the most likely to make an impression on Indian minds; but there are bounds in all things which mark the extent of propriety and decorum. The dignity of the President of the United States is not to be sacrificed for any consideration; nor is it necessary to expose it to the least diminution to attain the object in view. The style of the talk may be in such plain language

as to be perfectly intelligible to the interpreters who are to translate it, and yet not expose it to the animadversion of well-informed men. This talk being printed will soon get into the newspapers, and be read by other nations as well as our own. Pardon me if I think it open to much censure. It is expressed to be among the last acts of your administration, and ought to command respect from the civilized world. I cannot but express my fears that, in its present form, the reverse would be its fate. It abounds in tautologies and other faults, arising, I suppose, from a mistaken idea of the manner in which the untutored Indians should be addressed. But their own chiefs speak in a manner incomparably more dignified. It would mortify me to see it in its present form exhibited to the world. I am strangely mistaken in my conceptions of it, if all your friends would not be extremely mortified. The alterations I have taken the liberty to note are not all which a more attentive examination would suggest.

“ I have marked this letter private, because intended only for your eye. Both the letter and the notes on the talk are submitted most respectfully to your consideration.

“ T. PICKERING.

“ TO THE PRESIDENT OF THE UNITED STATES.”

The President replied as follows: —

(PRIVATE.)

“ Friday evening, September 2d, 1796.

“ DEAR SIR,

“ I thank you for your private letter of this date, and will arrest the talk intended for the Cherokee Indians until it can be further considered. For this purpose I send the one I have just received from you back again, with a request that you would pursue the remarks you have begun; and let me have them as soon as you can conveniently, in the morning; that I may be possessed of them before I see the Secretary of War.

“ Yours sincerely and always,

“ G. WASHINGTON.

“ P. S. I did not admire the draught when it was presented to me, and told the Secretary so; but I am so pressed, and allowed so little time to consider matters, that my signa-

ture or approbation is, I am persuaded, given sometimes rather too hastily."

On receiving this letter, Colonel Pickering concluded not to attempt to make further amendments of the printed talk, but proceeded that very evening to make an entirely new draught, which he enclosed with the following, not marked private:—

“PHILADELPHIA, September 2d, 1796.

“SIR,

“The day before yesterday the Secretary of War put into my hands a printed talk to the Cherokees. I have not found time to consider it till now. It does not accord with my ideas or my experience in Indian affairs. I attempted to make alterations, but my train of thinking was so different from that of the Secretary of War, not in the substance, but in the manner, that I found it necessary to leave the subject, or make a new draught; and, deeming it a matter of consequence, seeing it is to proceed from the supreme executive of the United States, I could not withhold the draught from you. It is now respectfully submitted to your consideration.

“T. PICKERING.

“TO THE PRESIDENT OF THE UNITED STATES.”

His idea seems to have been that, if the President thought proper to adopt his draught in lieu of that of the Secretary of War, he should seek no concealment of his agency in the matter; and he therefore wrote the second letter without marking it private, to be used as Washington might think proper. Upon receiving it, with the accompanying new draught, the next morning, the President appears to have come to the conclusion to let the whole affair of a talk to the Cherokees drop. He suppressed the talk that had been printed, giving his reasons for so doing to the Secretary of War, who undoubtedly acquiesced in the conclusion, and probably never knew of what had passed

between the President and Colonel Pickering on the subject.

Colonel Pickering's draught, preserved among his papers, as illustrating his manner of addressing Indians, and the policy of Washington's administration in reference to them, is presented entire, as follows:—

“TALK OF THE PRESIDENT OF THE UNITED STATES TO HIS BELOVED
MEN OF THE CHEROKEE NATION.

“BELOVED CHEROKEES,

“Many years have passed away since the white people came to America. In that long space of time good men have considered how the condition of the Indian nations of the country might be improved, and many attempts have been made to effect it. But, as we see at this day, all these attempts have been nearly fruitless. I also have thought much on this subject, and anxiously wished that the various Indian tribes, as well as their neighbors, the white people, might enjoy in abundance all the good things which make life comfortable and happy. I have considered how this could be done, and have discovered but one path that can lead them to that desirable situation. In this path I wish all the Indian nations to walk. From the information received concerning you, my beloved Cherokees, I am inclined to hope you are prepared to take this path, and disposed to pursue it. It may seem difficult to enter; but, if you make the attempt, you will find every difficulty easy to be removed. Mr. Dinsmoor, my beloved agent to your nation, being here, by him I send to you this talk. He will have it interpreted to you, and particularly explain my meaning.

“Beloved Cherokees: Instead of beginning with books, I wish you first to learn those things which will make books useful to you. When you shall have learned to till the ground, to build good houses, and to fill them with good things, as the white people do, then, like them, you will find the knowledge of books to be pleasant and useful. But first you must learn how to obtain the necessities of life in plenty. The greatest

are food and clothing. Houses you can build already ; but you may learn from the white people to make them better and more lasting.

“ Beloved Cherokees : The game with which your woods once abounded you now find to be growing scarce, and you know, when you cannot meet a deer or other game to kill, that you must remain hungry. You know when you can get no skins by hunting, that the traders will give you neither powder nor clothing ; and you know that, without other instruments for tilling the ground than the hoe, you will continue to raise only scanty crops of corn. Hence you are sometimes exposed to suffer much from hunger and cold, and, as the game are lessening in number more and more, these sufferings will increase. And how can you provide against them ? Listen to my words, and you will know.

“ My beloved Cherokees : Some among you already experience the advantages of keeping cattle and hogs. Let all keep them, and increase their numbers, and you will always have a plenty of meat. To them add sheep ; and they will give you clothing as well as food. Your lands are good and of great extent. By proper management you can raise live-stock, not only for your own wants, but to sell to the white people. By using the plough you can vastly increase your crops of corn. You can also grow wheat that makes the best bread, and other useful grain. To these you will easily add flax and cotton, to be sold to the neighboring white people, or made by your own women into clothing for yourselves. Your wives and daughters can soon learn to spin and to weave. And to make this certain, I have directed Mr. Dinsmoor to procure all the instruments necessary for spinning and weaving, and to hire a woman to teach the use of them. He will also procure some ploughs and other instruments of husbandry, with which to begin the improved cultivation of the ground which I recommend, and employ a fit man to show you how to use them. I have further directed him to procure some cattle and sheep for the most prudent and industrious men, who shall be willing to exert themselves in tilling the ground and raising those useful animals. He is often to talk with you on these subjects, and give you all necessary information to pro-

mote your success. I must, therefore, desire you to listen to him and to follow his advice. I appointed him to dwell among you, as the agent of the United States, because I judged him to be a faithful man, ready to obey my instructions, and disposed to do you good. But the cares of the United States are not confined to your single nation ; they extend to all Indians dwelling on their borders. For which reason other agents are appointed ; and for the four southern nations there will be a general agent, who will visit all of them for the purpose of maintaining peace and friendship among them, and, with the United States, to superintend all their affairs and to assist the particular agents with each nation in doing the business assigned them. To such general agent I must desire your careful attention. He will be one of our greatly beloved men. His whole time will be employed in contriving how to do you good ; and you will, therefore, act wisely to follow his advice. The first general agent will be Colonel Benjamin Hawkins, a man already known and respected by you. I have chosen him for this office because he is esteemed as a good man, has a knowledge of Indian customs, and a particular love and friendship for all the southern tribes.

“ Beloved Cherokees : What I have recommended to you, I am myself going to do. After a few moons are passed, I shall leave the great town and retire to my farm. There I shall attend to the means of increasing my cattle, sheep, and other useful animals, to the growing of corn, wheat, and other grain, and to the employing of women in spinning and weaving, all which I have recommended to you, that you may be as comfortable and happy as a plenty of food, clothing, and other good things can make you.

“ Beloved Cherokees : When I have retired to my farm I shall hear of you, and it will give me great pleasure to know that you have taken my advice, and are walking in the path I have now described. But before I retire, I shall speak to my beloved man, the Secretary of War, to prepare some medals, to be given to such Cherokees as, by following my advice, shall best deserve them. For this purpose Mr. Dinsmoor is, from time to time, to visit every town in your nation. He

will give instructions to those who desire to learn what I have recommended. He will see what improvements are made ; who are the most industrious in raising cattle, in growing corn, wheat, cotton, and flax, and in spinning and weaving ; and on those who excel the rewards are to be bestowed.

“ Beloved Cherokees: The advice I have given you is important, as the event of the experiment made with you may determine the lot of many nations. If it succeeds, the beloved men of the United States will be encouraged to give the same assistance to all the Indian tribes within their boundaries. But if it should fail, they may think it vain to make any further attempts to better the condition of any Indian tribes ; for the richness of the soil and the mildness of the air render your country highly favorable for the practice of what I have recommended.

“ Beloved Cherokees : The wise men of the United States meet together once a year to consider what will be for the good of all their people. The wise men of each separate State also meet together once or twice every year, to consult and to do what is good for the people of each State. I have thought that a meeting of your wise men, once or twice a year, would be alike useful to you. Every town might send one or two of its wisest counsellors to talk together on the affairs of your nation, and to recommend to your people whatever they should think would be useful. The beloved agent of the United States would meet with them. He would give them information of those things which are found good by the white people, and which your situation will enable you to adopt. He would explain to them the laws made by the Great Council of the United States for the preservation of peace, for the protection of your lands, for the security of your persons, for your improvement in the arts of living, and to promote your general welfare. If it should be agreeable to you to have your wise men hold such meetings, you will speak your mind to my beloved man, Mr. Dinsmoor, to be communicated to the President of the United States, who will then give such directions as shall be proper.

“ Beloved Cherokees : That this talk may be known to all your nation, and not be forgotten, I have caused it to be

printed, and directed one, signed with my own hand, to be lodged in each of your towns. The interpreters will, on proper occasions, read and interpret the same to all your people.

“ Beloved Cherokees: Having been informed that some of your chiefs wished to see me in Philadelphia, I have sent them word that I would receive a few of the most esteemed. I repeat that I shall be glad to see a small number of your wisest chiefs. But I shall not expect their arrival till November. I shall take that occasion to agree with them on the running of the boundary line between your land and ours, agreeably to the treaty of Holston. I shall expect them to inform me what chiefs are to attend the running of the line, and I shall tell them whom I appoint to run it, and the time and place of beginning may then be fixed.

“ I now send my best wishes to the Cherokees, and pray the Great Spirit to preserve them.

“ Given at the city of Philadelphia, &c.”

A natural and just regard for the feelings of the Secretary of War, it is to be supposed, prevented the adoption of the foregoing draught. The circumstances that led Washington, and probably Pickering too, to think it best to abandon, at that time, the idea of a talk, are to be regretted. Such a farewell address of the Great Father to his Indian children, would probably have produced a salutary and permanent effect upon all the tribes.

Colonel Pickering allowed no opportunity of rendering friendly services to Indians to pass unimproved. The following letter explains itself:—

“ TO THE CHIEFS AND WARRIORS OF THE ONEIDA NATION.

“ Brothers: I address you, not as an officer of the United States, but as a man whom you know, in whom I trust you

place some confidence, and who is your friend, and the friend of all the Indian nations.

“ Brothers: You will recollect how often I have advised you and your brethren of the Six Nations to adopt the ways of the white people in the cultivation of your lands and other useful customs necessary to enable you to live comfortably, now that the game was so scarce and almost wholly destroyed. You have formerly listened to my advice and said it was good. I repeat it; and urge you to give to such of your people as are desirous of following my advice, the necessary encouragement,—I mean the separate and exclusive right to hold fast to the land they cultivate, that their wives and children and children’s children may enjoy the fruits of their labor, and have each a seat and a bed, when their fathers are gone to another world.

“ But the direct object of my speaking to you, at this time, is to intercede with you for your neighbors and friends, the Tuscaroras, dwelling among you. I was pleased to see the belt you gave them last summer, by which you took them into your arms, and made them partakers of your lands in common with yourselves. This was a very kind and friendly act; but, if these few Tuscarora families should desire, in lieu of it, a separate interest and property in a very small portion of your lands, what can be said against it? A little piece will satisfy them,—one half, or even one quarter, as much as you formerly gave to the Stockbridge Indians; and, if you let them have this, and the State of New York confirm it, the Tuscaroras will let go back to you the right you gave them last summer, in all your lands, the same as yourselves have. Nay, I would advise the Tuscaroras to give up to you all their share in the moneys paid you every year for the lands you have sold, and their share of the money and goods given every year by the United States, only for the sake of holding fast, for themselves and their children, the little piece of land you shall give them for their own, that on no occasion their beds may be sold from under them.

“ Brothers: Of what consequence are four, five, or six thousand acres of land to you, who possess so many thousands of acres, and when, if you part with so small a piece, it will be to

do good to your brothers and friends who earnestly pray you to be thus kind to them. If one quarter of a township be too much, give them one sixth, or even one eighth part of a township. They will then draw no share of moneys or goods for lands already sold, or which you shall hereafter sell, but be contented with the little piece you give them.

“Brothers: I give you this advice, and entreat you to comply with it, because it will make glad the hearts of your brothers the Tuscaroras, and really do no harm to yourselves.

“That you may the better understand and remember my speech here on paper, I annex to it seven strings of wampum. Your brother and friend.

“TIMOTHY PICKERING.

“PHILADELPHIA, March 15th, 1798.”

On the same day he wrote to John Jay, the Governor of New York, to get the approval and legislative sanction by that State of the measure thus urged upon the chiefs and warriors of the Oneida nation. The Governor, on the 26th of March, communicated the subject to the legislature, then in session at Albany, as follows: —

“A letter of the 15th instant, from the Secretary of State, will accompany this message. The like motives of benevolence and humanity which interest him in favor of the Indians mentioned in it, will doubtless engage the attention of the legislature to the measure which he recommends to be taken for their benefit.”

On the 10th of April, Governor Jay wrote to Colonel Pickering that “nothing material has been done” on the subject of his letter in behalf of the Tuscaroras, “an opinion having prevailed that our intended purchase of the Oneidas should first be completed.”

The fundamental and essential element of Colonel Pickering’s plan for the welfare and civilization of the

Indian tribes, was to transform them from hunters into farmers. In all reservations of land to them, he would have had a portion of the territory divided into lots suitable for farms, to be severally bestowed upon the heads of families, the fee to be in each individual proprietor; the arrangement to be made under proper conditions and regulations, and the requisite means afforded for instruction in the methods and arts of agriculture. The experiment has never been fairly made. The policy of States, as in the instance just cited, enforced by the prejudices of the white people and the schemes of speculators, has been, not to fasten Indians to the soil by individual and permanent proprietorship, but to purchase them entirely off, and get possession of all their lands.

A very considerable amount of care and labor in a matter, from its nature, really belonging to another department, although growing out of the foreign relations of the country, was brought upon Colonel Pickering while Secretary of State. In the earlier part of Washington's administration, Barbary corsairs committed constant depredations on the commerce of the United States, and many American citizens suffered long and cruel captivity. The evil became so great that preparations were made, on a large scale, to punish and prevent these piratical proceedings. Congress ordered an adequate naval force to be provided, and a fleet of frigates was placed upon the stocks. War was avoided, and negotiations took place; captives were liberated, and a stop put to such outrages. It was thought necessary, in order to perpetuate friendly relations, to establish diplomatic intercourse with the African States on the borders of the Medi-

nean. For this purpose, Colonel Pickering availed himself of the agency of Colonel Humphreys, American Minister to Spain. Joel Barlow was sent to Algiers as Consul of the United States, and General William Eaton Consul to Tunis; and, subsequently, Captain Richard O'Brien, who had been a captive and held in slavery there, was sent as Consul-General to Algiers. With all these persons Colonel Pickering held much correspondence. To accomplish the object in view, and secure a friendly feeling towards the United States, a first-class frigate was to be built, and presented to the Dey of Algiers, and some smaller vessels, in accordance with his request, were to be procured for him. At the solicitation of the Secretary of War, who then had the navy under his charge, Colonel Pickering assumed the superintendence of the fitting out of the frigate, and of providing the smaller vessels. The preparation, equipping, arming, manning, and officering them, were put wholly into his hands. A few of the numerous letters written by him, in conducting this business, will illustrate its character and extent.

“PHILADELPHIA, August 27th, 1797.

“SIR,

“The bearer is Captain O'Brien. He goes to Cecil furnace at my particular request, to see what progress has been made in casting guns for the frigate destined for Algiers; and from his knowledge of the temper of the Dey, and the present extreme urgency of our affairs, to satisfy you of the absolute necessity of completing them without the least delay. I have only to add my very earnest request that this may be done.

“TIMOTHY PICKERING.

“SAMUEL HUGHES, Esq.”

“PHILADELPHIA, August 29, 1797.

“SIR,

“You are to take the command of the frigate building at Portsmouth for the Dey of Algiers. Immediately on receipt of this letter you may proceed thither, and attend to her equipment. But Colonel Thompson, having been appointed the agent of the war department in building and equipping her, you are not to interfere with his conduct in the duties assigned him; his knowledge and experience in such business being abundantly adequate to the task. You will, however, propose for his consideration any thing which you may think may render her more acceptable to the Dey.

“Captain O’Brien recommends Captain Smith of Newburyport, for your first Lieutenant. He has been a Captain with you, and is well acquainted with the navigation of ships, as well as smaller vessels, and therefore to be preferred to others not equally qualified.

“Perhaps Captain O’Brien may embark in the frigate as consul for Algiers; and he being an able navigator, you will, in this case, need one Lieutenant or mate the less, seeing, in case of accident, he could conduct the frigate to Algiers. If he should not go with you, it will be necessary for you to engage another navigator. Take care to engage no persons until they are necessary; for we do not yet know the precise time of the frigate’s sailing, although all possible despatch is to be used in supplying what is yet deficient.

“Write me, immediately after your arrival at Portsmouth, how you find the frigate, and mention what you think proper to be done, and what persons engaged and put on pay while she lays at Portsmouth, and before you receive orders to ship all her crew.

“TIMOTHY PICKERING.

“CAPTAIN TIMOTHY NEWMAN.”

“PHILADELPHIA, December 28d, 1797.

“SIR,

“I am glad that the time of your sailing for Algiers is at hand. Captain O’Brien will leave this city the beginning of the ensuing week. This day I send orders to Boston for transporting to the frigate one hundred and eighty thousand dollars, for which you will provide a suitable berth, and give

your receipt to the person who shall deliver them. It is possible and not improbable, that the dollars may be landed before you reach Algiers. The berth you give them should be chosen with this view. Their weight will be about four tons and a half. Captain O'Brien will have orders on the subject.

“TIMOTHY PICKERING.

“CAPTAIN TIMOTHY NEWMAN.”

Colonel Pickering's papers show that the business connected with the furnishing and getting off this frigate, and which he had to direct, was various and extensive, relating to her cannon, cannon-balls, rigging, and colors. At length the frigate was ready to sail.

The purposes to which the \$180,000 were to be put is shown in special instructions on the subject given to Captain O'Brien, by the Secretary of State, December 29th, 1797, as follows:—

“Not being possessed of certain information relative to the peace reported to have been concluded with Tunis, nor of the precise state of our pecuniary affairs depending at Algiers, the government could only make an estimate of the sums requisite to discharge all demands against us, grounded on the general information received from Mr. Barlow. He puts down the following round numbers, viz.:—

| | |
|--|--------------------|
| For our peace with Tunis ‘upwards of’ | \$60,000.00 |
| To repay the sum lent by the Dey of Algiers, to purchase our peace with Tripoli | 40,000.00 |
| To be paid to the Bey of Tripoli when our Consul arrives there, pursuant to treaty | 12,000.00 |
| To reimburse the sumis, paid from time to time, on account of the United States by the House of Bacri | 50,000.00 |
| To these may be added: for the surplus above the \$60,000 required by Tunis; for the hire or purchase of a vessel to bring home the crews of the Crescent Frigate, and of the Schooner ‘Ham-dullah;’ and other contingencies | 18,000.00 |
| Amounting to | <hr/> \$180,000.00 |

and this sum you will have under your care on board the frigate.”

This extract explains the manner in which, at that time, negotiations were made with Algiers and the neighboring States. They could only be reached by largesses to their rulers. No man could have been found better fitted to deal with them than Joel Barlow, whose eminent qualities as a diplomatist, as well as great personal gifts and accomplishments, secured him a brilliant reputation in Europe and America. William Eaton's enterprising spirit and gallant achievements give a romantic interest to the history of his time. Richard O'Brien spent nearly twenty years of his life, as captive and as Consul, in those African states. By their ability and influence, the United States succeeded, for a considerable period, in securing its commerce from plunder and its seamen from enslavement. It is astonishing to what an extent those Barbary corsairs were allowed to pursue their piratical career, and all but licensed by the great maritime governments. They preyed upon every nation that had any exposed navigation. The King of Denmark sent a testimonial of his gratitude to General Eaton for services rendered in behalf of Danish sailors in captivity.

In looking for a suitable person to take command of the frigate, Colonel Pickering's choice fell upon Captain Newman, with whose qualifications for that special service he was well acquainted; but, as there was a family connection between them, he was unwilling to appoint him. The President and Secretary of War being apprised of the circumstances, the latter so far resumed the charge of the business as to name Newman as Captain of the frigate. In no other respect did the Secretary of War interfere. Captain Newman's corre-

spondence was wholly with Colonel Pickering, whose final orders were as follows:—

TO CAPTAIN TIMOTHY NEWMAN, OF NEWBURYPORT,
IN THE STATE OF MASSACHUSETTS.

“ DEPARTMENT OF STATE, December 29th, 1797.”

“ You are hereby confirmed in the command of the frigate, now at Portsmouth, New Hampshire, called the ‘Crescent,’ to which you were designated by the Secretary of War, and in the charge of which you have been some time employed.

“ You are to navigate her to the city of Algiers, where she is to be delivered, with all her boats, tackle, and stores, to the Dey and regency of the city and kingdom of Algiers.

“ As she is armed, and you have a crew competent for her defence against ordinary cruisers, you are to defend her accordingly against all attacks but those of superior force. You are accordingly to prepare your officers and crew for such defence, and maintain the necessary order and discipline among them for this object, as well as the safe navigation of the frigate to her destined port. If visited by a vessel of war of superior force, and your papers are demanded, you will exhibit your special passport, under the hand of the President and the Great Seal of the United States; if by any cruisers of the powers of Barbary, you will exhibit your Mediterranean passport, and the passport of the Dey of Algiers, in the Turkish language and under his seal. These ought to satisfy any vessel of war which may visit you, seeing the vessel under your command can in no sense be called a merchant vessel. If, however, other papers should be insisted on, all you shall have relating to the frigate, her proper furniture and stores, and to all other stores laden on board her, in execution of our stipulations with the Dey and regency of Algiers, and also to the other articles on board for the Dey, his officers, and friends, may be exhibited.

“ Richard O’Brien, Esquire, Consul-General of the United States for the kingdom of Algiers, is to embark in the frigate; you will accordingly receive him on board with due respect, and provide suitable accommodations for himself and

baggage; and as his courage and abilities as a naval officer have formerly been manifested, as he is an experienced navigator, and particularly in the Mediterranean on the coast of Barbary, you are constantly to advise with him in the prosecution of your voyage, until you arrive at Algiers, where you are to receive and observe his orders respecting the frigate and all on board her.

“ It is desirable that the frigate, her apparatus, and stores, may be kept in the best order for delivery to the Dey and regency of Algiers.

“ Captain O’Brien, having orders to stop at Gibraltar to inquire about the situation of affairs in the Mediterranean, especially in relation to Algiers and the other Barbary powers, you are to touch at Gibraltar accordingly, and give him time to execute those orders.

“ Captain O’Brien is instructed to provide for the return of yourself, officers, and men, to the United States. You will apply to him accordingly for this purpose. The number of the frigate’s crew being large and expensive, it is desirable that as little delay as possible may attend their return.

“ Should any misfortune happen to Captain O’Brien, to prevent his executing the various orders with which he is charged, you are then to examine his papers, and, to the utmost of your power, perform those orders in relation to the frigate and all that is on board her, taking care to conduct every part of the business with caution, economy, and for the best interests of the United States.

“ TIMOTHY PICKERING,
Secretary of State.”

The following private letter to Captain Newman accompanied the instructions. It is of the same date; both from Philadelphia.

“ Captain O’Brien is to depart hence next Monday, — New Year’s day. I trust the frigate will be ready to get under way at his arrival at Portsmouth. I have written to Colonel Thompson on the subject of your pay, expressing an apprehension that it might be deemed too high, seeing the Captains of the Continental frigates have but seventy-five dollars a

month and six rations a day. I felt the more delicate about the matter on account of the relationship between us; and intended to request the President to decide upon your pay, but I have not now time to do it, although I may before the next post-day; and, if any alteration takes place from what Colonel Thompson proposed, I shall let you know it.

In your instructions you will notice what is said respecting Captain O'Brien, to which I trust you will readily assent. Prudence requires it; and your observance strictly of your instructions, and good management of the business committed to you, and especially of what may chance to fall into your hands, in case of an accident befalling Captain O'Brien, will recommend you to future attentions of the government.

“I am affectionately yours,
“TIMOTHY PICKERING.”

On the 2d of January, 1798, Colonel Pickering, writing to Colonel Thompson, says:—

“I expressed in my last to you my doubts about the compensation proposed for Captain Newman, as Commander of the ‘Crescent’ frigate, and compared the same with the pay and allowance to a Captain of a Federal frigate. I have since submitted the matter to the President, who deems it improper and unsafe to grant to the Captain of the ‘Crescent’ higher pay than is allowed by law to the Captains of the frigates. The cabin stores and expenses on shore, which you proposed also to be allowed to Captain Newman, will come in place of the six rations a day allowed to the Captains of the frigates. You will be so good as to adjust the allowance to Captain Newman accordingly. I wrote him that his pay would commence on the 7th of September, when he accepted the appointment.”

This instance is worthy of being commemorated. It proves that then no favoritism was shown or permitted on account of private and personal considerations or relations. The sentiments that led Colonel Pickering to interfere and arrest an arrangement by which a family

connection — to whom, as his style of addressing him indicates, he was particularly attached — was to be benefited, illustrate his integrity as a public officer.

Captain Newman executed his commission with fidelity and despatch. After some detention at Gibraltar, he reached Algiers, and delivered over the frigate to the Dey. So expeditiously were arrangements made for the transportation home of himself, officers, and crew, that Colonel Pickering, in Philadelphia, on the 12th of June, 1798, was notified of their arrival at Boston.

A large amount of business was thrown upon the Secretary of State, arising out of what belonged to his proper province, but involving matters not usually connected with it. In pursuance of provisions of the treaty for ascertaining and establishing the boundary line between the United States and the dependencies of Great Britain to the east and north, a commissioner was appointed on each side, and they appointed a third. Agents and surveyors were also appointed. The questions to be argued before, and settled by, the commissioners, embraced points of geography, an exploration of maps, the phraseology of Provincial and Colonial charters, and other documents, and astronomical calculations and observations. The details of the proceedings and discussions of the commission, and the positions taken by the agent of the United States, were constantly brought to the notice of the Secretary of State, and his views required to be given. From the numerous letters passing between him and others in organizing this tribunal, and during the period of its action, the following are selected: —

"PHILADELPHIA, April 6th, 1796.

"DEAR SIR,

"With this you will receive an official letter from me relative to the settlement of the boundary of St. Croix. You wrote the President, as I recollect, mentioning Judge Sullivan as proper for a commissioner. But you had been previously thought of. However, I named Judge Sullivan as a very fit person for the agent of the United States in this business. If you look to the fifth article of the treaty, you will see that an agent on each side is contemplated, and the measure will be very necessary. The agent will collect and produce the documents, and *advocate* the claims on the part of each nation respectively, and the commissioners sit as *judges*. Every circumstance that can be mentioned points out Judge Sullivan for the agent. He is the Attorney-General of Massachusetts, the State peculiarly interested in the decision; and I presume as the historian of Maine he has already investigated her claim; to these add his talents which are unquestionable. Will you, then, have the goodness to ascertain whether Judge Sullivan will undertake the agency? The fee or compensation I have estimated at the same rate as the commissioner's. I make this request of *myself*, and not by the President's direction; while I can entertain no doubt of his assent, if the Judge will accept, and especially if thereto you add your recommendation. This recommendation of yours will depend on the fact whether there is or is not an advocate to be obtained for the agency more fit than Judge Sullivan, of which you can best judge.

"An astronomer, to determine with precision the latitudes and longitudes of the mouth and the source of the St. Croix, must also be procured. Can you not find such a scientific man at Cambridge? Can the professor of mathematics be obtained? Is not Mr. James Winthrop perfectly qualified? or can the Rev. Mr. Prince of Salem undertake the employment? I mention these names as they at this moment occur. Perhaps it might be well to consult President Willard.

"Respectfully yours,

"TIMOTHY PICKERING.

"GENERAL KNOX."

General Knox declined the appointment of commissioner; Judge Sullivan accepted that of agent; Thomas Barclay of Nova Scotia, was the British commissioner, and David Howell of Rhode Island the American. Great difficulty and much correspondence arose as to the method of appointment of the third commissioner, and as to the principles on which it was to be made. It seems to have been arranged that the two commissioners should each name a person,—the decision to be by lot. Egbert Benson of New York became the third commissioner.

Writing to Judge Howell, May 28th, 1796, Colonel Pickering, enclosing a statement of what may be required by the commissioners, says:—

“ You will see in the estimate what instruments were deemed necessary. A sextant has been purchased in this city; the residue remains to be procured. Perhaps a sector and a telescope may be borrowed from the University of Cambridge, especially if the philosophical professor there should be chosen to make the necessary astronomical observations.”

In the instructions to Judge Sullivan, May 31st, he says:—

“ The quantity of land, the title of which depends on the question to be examined and decided, is an object so interesting as to demand an accurate and thorough investigation of the claims of the two nations. It is supposed that you are already possessed of important documents concerning them; but it is desirable that you should diligently inquire and search for any others, which public records or other repositories, public or private, may have preserved. The pending decision is to be *final*. Great industry, therefore, will be necessary to collect, and much diligence and ability required to arrange and enforce, the evidence in support of the claims of the United States. Besides written documents, it is possi-

ble that living witnesses, if carefully sought for, may yet be found, whose testimony may throw much light on, if not positively establish, our claims. To obtain these, if they exist, as well as written documents, the President relies on your diligent research and inquiry; and, in the application of them to support the interests of the United States, he assures himself of the utmost exertion of your ability."

From time to time he communicated to Judge Sullivan such documents as he could find, and informed him where others might be obtained. On the 10th of July, he wrote as follows:—

"I send you the four volumes of the 'Memoirs' of the French and English commissioners who met at Paris in 1750, 1751, 1752, and 1753, relative to the claims of those two crowns to the country of Acadia, or Nova Scotia, and Mitchell's map of North America. I must request your particular care of them,—that they may be returned when the dispute about the River St. Croix shall be adjusted."

Other labors, not in recent or ordinary times brought upon the department of State, remain to be mentioned. The wars in Europe led to much injury and wrong to citizens of the United States. Imperial decrees and royal orders in council, carried into execution by reckless and unscrupulous naval commanders, occasioned constant depredations on American commerce, and imprisonment and other sufferings to seamen. The impressment practised by authority of Great Britain was, if possible, a still more aggravating outrage. Colonel Pickering felt it important to bring these evils fully to light, to expose them in their whole length and breadth, and to provide evidence of their extent that could not be questioned, in order to afford solid ground for remonstrance and demands for reparation; and, if

they failed, to bring the government and people to a state of preparation for extreme measures in the last resort. For this purpose he wrote to the owners and masters of vessels seized by French or English cruisers, to ascertain the amount of property destroyed, the interruptions of lawful navigation, the violation of sailors' rights and the subjection of their persons to ill-treatment, whether by impressment, imprisonment, or destitution in foreign ports. He also wrote to the Collectors of Customs in our own ports, and to our Consuls and Ministers abroad, to transmit to him all attainable information on these points. Great was the amount of this correspondence, of which the following may serve as a specimen:—

“ BENJAMIN LINCOLN, Esq., COLLECTOR FOR BOSTON,
MASSACHUSETTS.

“ SIR,

“ I have seen in the newspapers an account, subscribed by Elkanah Mayo, of the impressment of his sailors at Barbadoes, and of the cruel outrages received both by him and them from the officers of a British ship of war; and that, although by order from the Governor the men were finally released, four of them died of the yellow-fever caught on board the British ship. The account further states that Captain Mayo's owners have, by means of those British officers, sustained a loss of 8,000 dollars.

“ This outrage and injury, as represented, is so atrocious, that I have thought it proper to write you a special letter on the subject, and to request that all the proofs to be obtained in the case may be procured. I think it is mentioned that Captain Mayo's vessel belonged to Cape Ann, and he may be gone thither. But, wherever he is, and from whomsoever the necessary proofs may be obtained, I beg you to do what may be requisite for the purpose.

“ I am, with great respect and esteem, Sir, &c.,

“ TIMOTHY PICKERING.

“ DEPARTMENT OF STATE, April 23, 1796.”

Before entering upon an account of Colonel Pickering's service, in what were more eminently the appropriate duties of the State department, some details of his personal and domestic history at this time will be given in the next chapter.

CHAPTER VIII.

His Domestic and Personal History while attached to the Government in Philadelphia.—Death of a Son.—His Land Speculations.—Yellow-fever at Philadelphia in 1797.—Correspondence with Rev. Joseph Pickering in England.—Libel on Colonel Pickering.—Death of Rev. Dr. Clarke of Boston.—Yellow-fever at Philadelphia in 1798.—The Degree of LL.D. conferred by the College at Princeton, N. J.—Letter of George Cabot declining the Office of Secretary of the Navy.—John Pickering.—Timothy Pickering, Jr.

1796-1800.

BEFORE proceeding further in narrating Colonel Pickering's public history, it may be well, at this point, to give a view of his private life during his connection with the Government of the United States as an executive and cabinet officer.

On removing his family to Philadelphia, he appears to have occupied a house in North Second Street, No. 117. The next year he removed to a house, No. 183, owned by Samuel Emlen, in the same street, described as at the corner of Key's Alley, the annual rent of which was \$320. Upon becoming Secretary of War, he took the house General Knox had occupied in Chesnut-Street, owned by John Lawrence, paying a rent of \$800. From November 4th, 1796, to June 30th, 1800, he occupied a house in Arch Street, supposed to have been the second door from Sixth Street, at a rent, for different parts of the time, of \$600 and \$666.67.

When he brought his family to Philadelphia, on his

appointment to the office of Postmaster-General, he had eight children, all sons. The eldest was born in Salem, while the father was marching his regiment to join the army in the Jerseys; the second at Philadelphia, while, as a member of the Board of War, his residence was there; the third at Newburgh, where, as Quartermaster-General, his family was connected with that of the Commander-in-Chief; the fourth and fifth in Philadelphia, while he was established as a merchant there; and the sixth, seventh, and eighth at Wyoming. Two daughters, twins, were born after the removal of the family to Philadelphia, the father then being Postmaster-General. The maintenance and education of the eldest son had been provided for by Colonel Pickering's brother in Salem, of whose family he was a member. For the support of the other seven sons, and of the two daughters, the father was wholly chargeable.

His resources at that time were derived almost entirely from official emoluments. His salary, when he assumed the functions of Postmaster-General, was \$1,500, but was soon after raised to \$2,400; as Secretary of War it was \$3,000; as Secretary of State, \$3,500. It was raised, from January 1, 1799, to \$5,000.

The foregoing items have been given as showing how imperative it was for him to practise economy. The expenses of living in Philadelphia, especially to a person in his position, were very great. But his habits and those of his family were frugal; and, by strict adherence to them, he was enabled to exercise a hospitality congenial to his feelings and the customs in which he had been brought up, but, in accordance with his tastes as well as necessities, simple in its character and forms.

While having to forego all fashionable entertainments and expensive ceremonials, his house was open to all visitors to the city who had any claims upon his attentions and kindness; and was a favorite resort of the best, most cultivated, and eminent residents of the city, of his associates in the government, and of distinguished persons of other States, or from abroad. A letter from the late John Pickering to his daughter, of September 6th, 1830, says:—

“I do not know whether I have told you that the present King of France (Orleans), and his two brothers, the Duke of Montpensier and Duke of Beaujolais, once dined at your grandfather’s, when I was in Philadelphia, in 1797. The Duke of Orleans was then about twenty-three years old, a plain but intelligent man, of a good person and deportment.”

Many years afterwards, on a visit of Daniel Webster to Paris, Louis Philippe inquired of him for the family of Colonel Pickering, saying that, if any of them should visit Paris, he should be glad to show them attention. When the royal brothers were exiles in the United States, Colonel Pickering was able to aid them in receiving their funds, and this was gratefully remembered.

When Colonel Pickering was living in Philadelphia as a merchant, he attended the church of the Rev. Dr. Sproat, who, as has been stated, baptized several of his children. On returning to that city to enter upon the office of Postmaster-General, he resumed his connection with the same congregation. But, Dr. Sproat falling a victim to the yellow-fever, he subsequently worshipped with the Second Presbyterian Church. His son John,

visiting Philadelphia in 1832, wrote to his daughter: "I went to see the old Presbyterian Church at the corner of Arch and Third Street, where your grandfather had a pew. This church has been materially changed since I was here. The pulpit used to be on the side, but now is at one end, and the steeple has been taken down."

The Presbyterian modes of worship were more conformable to those to which he had been accustomed in early life than any others then practised in Philadelphia. Although not receiving the tenets of dogmatical theology preached in their pulpits, he joined in their worship with satisfaction. All his life long he was constant in his attendance upon the public religious services of the Lord's Day, and his devout and exemplary deportment in the house of God was always noticeable. His well-known piety and sincerity, and the eminent services he had rendered, as well as the high public positions he occupied, made him a welcome member of any congregation to which he attached himself.

Not many months after entering upon the duties of Secretary of State, he experienced a great domestic bereavement. A son of most brilliant promise and engaging qualities, twelve years of age, died on the 12th of May, 1796, at Germantown, where the family were then residing, but so near Philadelphia that Colonel Pickering could be present in his office there every day. On the day of the death, the father wrote the following letter to his two eldest sons, who were then members of Harvard University, one in the senior, the other in the freshman class:—

" GERMANTOWN, May 12th, 1796.

MY DEAR SONS,

"Again it has pleased God to wound the hearts of your parents; and you will mingle your tears with ours, for the loss of your highly estimable brother Charles, who expired this day. I wrote you some time since, informing of his sickness, and of our painful apprehensions of the event. Distinguished for his sagacity and fortitude, as well as the generous and amiable virtues, he was extremely dear to us. When he was about four or five years old, your Uncle Sergeant wrote me a letter, in which, as he did not expect to *see* my sons, he desired me to *describe* them. That of Charles, I well remember, was in this manner. 'Charles's sparkling eyes early indicated the brightness of his understanding, and, if he should live and receive a good education, he will make a shining figure in the world.' Such were the pleasing prospects which I indulged, but my hopes are grievously disappointed. But we do not grieve as those who have no hopes beyond the grave. We look forward to a glorious resurrection to a life immortal. Here the believers in Christianity manifest their superior advantages; for life and immortality were brought to light by the gospel of Jesus Christ. Prior to that revelation, even the wisest and best of mankind were involved in doubt, and they hoped, rather than believed, that the soul was immortal. But, with such prospects in view, what manner of persons ought we to be, to participate in their enjoyment? The same revelation which opens to us immortal life, shows also the way to obtain it. There our various duties to God, our Creator and Benefactor, to our neighbour, and to ourselves, are clearly delineated; and they are all concentrated in love, or the exercise of kind affections. How happy would be the world if we were kindly affectioned, one towards another! But there is so much unkindness, so much envy, so much malice, and hence so many evils, in the world, that a good man, who has experienced but some of those evils, instead of feeling for himself an anxiety for long life, will rather be disposed to say with Job, 'all the days of my appointed time will I wait, till my change come,' importing the necessity of patience to

endure them. And well may he patiently wait, when he considers this present life as a transient scene, as the first and momentary stage, from which he will pass to a never-ending existence.

To bring home to our view, to penetrate us with, such necessary reflections, are, doubtless, the benevolent designs of our Heavenly Parent in the afflictions which he permits to befall us. Hence is verified the saying of the wise man, that it is better to go to the house of mourning than to the house of feasting. Grief softens the heart, and renders it susceptible to impressions which are essential to preserve us from deviating from the paths of virtue and religion. All my information concerning you, my dear sons, gives me the sincerest pleasure, because you sustain a reputation for morals, as well as a diligent pursuit of knowledge. Persevere in those paths, which will conduct you to honor here, and to happiness and glory hereafter.

“I had promised myself the pleasure of taking your mamma and brothers, Henry and Charles, to Massachusetts in July, but the event we now deplore will prove one obstacle; and public business will probably present to me some that are insurmountable. If, however, we cannot visit you, you must come to us immediately after commencement. It will be particularly consoling to us to see you both, after the melancholy event to which this letter refers. Besides, I wish to converse with you, my eldest hope, on your future pursuit in life. If this could be entered upon most advantageously in Philadelphia, I hope your kind uncle and other friends will not be hurt by my desiring it. You can take an opportunity to break the matter to them; and write me their, as well as your own, sentiments. Much as my happiness will depend on my children and the enjoyment of their society, yet my wishes will give way to whatever presents the fairest prospects of permanent advantage to them. God bless you both, my dear sons! is the earnest prayer of your ever affectionate, now your afflicted, parents.

“TIMOTHY PICKERING.

“P. S. I wish you both to put a crape on your left arm;

'tis all the external mourning that I shall use. I am as little fond of funereal pageantry as was my father.

“T. PICKERING.

“JOHN and TIMOTHY PICKERING.”

At the same date he wrote to his sister Mary, whose husband, Chief Justice Sergeant, had died some time before. As she was then at Salem, through her he communicated the melancholy intelligence to the relatives there:—

“ GERMANTOWN, near Philadelphia.

“ MY DEAR SISTER,

“ I write to you at this time, because not long ago you remembered me in a letter by Mr. Sergeant, but more because my tears are flowing for the loss of a charming boy, who, on the 25th of this month, would have been twelve years old.”

He then refers to the description he had given of Charles, in a letter to Judge Sergeant, and repeated in that to his sons, just presented, and says:—

“ When I read what I had written, I was struck with my description of him, and it has ever remained fresh in my recollection. His growing years verified my fond expectations. But so frail are mortal joys! Twice have I been thus deeply wounded. Edward, who died in 1793, was but six years old, yet he had shown convincing proofs of equal excellence. Among all my sons these two had no superiors. This detail will excite afresh your tears for two amiable daughters, cut off in their early prime. The third lives in my memory and affection; let her know it. I cannot write her now. Very affectionately, adieu ! ”

Major John Jacob Ulrich Rivardi was a French officer in the engineer department of the United States army, and much employed in superintending fortifications and artillery practice. He had conceived a devoted attachment and esteem for Colonel Pickering, and particularly friendly relations existed between them, giving rise to

frequent correspondence. The following letters passed about this time:—

“WEST POINT, May 22d, 1796.

“SIR,

“You sympathized with me when I informed you of the misfortune I had to lose my only child. Your kindness, in that cruel circumstance, induces me to hope that you will excuse my writing to you, in order to mention the birth of my son, who will (if I judge by appearances) be a strong and hardy American. Mrs. R. is unwell, but I hope will shortly be well enough to take away all alloy to my happiness.

“With the most respectful consideration, I have the honor to be, Sir, your most obedient and humble servant,

“J. J. U. RIVARDI, *Major of Artillery.*”

“PHILADELPHIA, May 27th, 1796.

“DEAR SIR,

“I have just been favored with your letter of the 22d, announcing the birth of a son, and thank you for the communication. Blest myself with many sons, I know how to rejoice with those who, for the like cause, rejoice. Deprived of two of them, and two peculiarly dear to me, I can also weep with those who weep. It is but two weeks since I lost my son Charles, at twelve years old, when, although two years and more had elapsed, I had not ceased to sigh for my dearest Edward. Thus it has pleased God to afflict me; but believing in the goodness, as well as in the wisdom, of His dispensations, I do not grieve as those who have no hope beyond the grave. I look forward to a future and better life, in which I shall meet my lovely innocents, with those who are dear to me on earth. Still these losses are for the present grievous, but they may operate the highest good. They have helped to wean me from an undue attachment to sub-lunary things. ‘My hopes are fixed on heaven.’”

Great as was the distress of Colonel Pickering at the dangerous, and too evidently fatal, sickness of this beloved child, he did not suffer important public business, demanding immediate attention, to be neglected. Even

on the morning of the day during which the death occurred, he rode into the city, and for hours was in his office and at work, as the following letter to Washington, with an accompanying elaborate document, shows:—

“DEPARTMENT OF STATE, May 12th, 1796.

“SIR,

“As far as I have been able I have stated, in the enclosed paper, the objects which I conceived you wished to consider, as deducible from various letters from our Ministers and Consuls abroad. There are others of a subordinate nature, or which respect situations which do not demand instant decision, but which will be resumed and pursued as soon as I find relief from the present anguish of my heart.

“T. PICKERING.

“TO THE PRESIDENT OF THE UNITED STATES.”

The first sheet of the paper he enclosed is as follows:—

“Mr. Pinckney having desired to relinquish his mission and return to America, there will be a vacancy for a minister at London. Mr. King has intimated that it would be agreeable to him to succeed Mr. Pinckney. At all events, without fixing on the time, Mr. King contemplates a relinquishment of his seat in the Senate. A minister of his abilities, experience, and law knowledge, would seem peculiarly desirable, at this time, for the mission to London; for, independent of the general interests of the Union respecting further negotiations, the important claims of the citizens for spoliations on their commerce may derive very material support from his interposition with the British ministers, and our commissioners much useful information and advice.

“Mr. Short having decided on resigning his mission to Madrid, and desired letters of recall, for which he waits at Paris, a vacancy presents at Madrid.

“Mr. Short says that the allowance of \$4,500, the salary to a Minister Resident, is quite inadequate to the expenses of a residence at the Spanish court. He also represents it as a matter of peculiar importance at that court, that a

minister should hold an elevated grade ; and as the Spanish minister recently appointed to the United States has the rank of Minister Plenipotentiary, this would seem to enforce the other reasons for giving the like grade to the new Minister to go from the United States to that court. Mr. Wm. Smith, of South Carolina, having manifested a desire to be employed in the diplomatic line, he appears extremely well adapted to the service at the court of Spain. A familiar knowledge of the French language, which Mr. Smith possesses, would render his communications with that court perfectly easy.

“Should the President finally resolve on a change of the minister at Paris, perhaps no man could be found better qualified, there to represent and support the interests of the United States and its citizens (the latter as well as the former are of great magnitude), than Mr. J. Quincy Adams.”

The paper goes on to state the chief facts and points of particular interest and importance in reference to American consulates, and discuss the qualifications of persons mentioned, or thought of, to fill them. The document embraces the consulates at Naples, Dunkirk, Belfast in Ireland, Bremen, Algiers, Morocco, and Hamburg ; the considerations relating to the three last are presented at some length. The various suggestions and recommendations were brought to a close thus :—

“These are all the cases which seem to me in a situation necessary to be immediately decided upon. It has not been possible for me yet to read the entire correspondence of all our ministers. There are some regulations respecting Consuls which, when digested, it might be proper to lay before the legislature at the next session. Whatever remains to be brought into the view of the President must be the result of further examination.

The distressed situation of my family obliges me to go to them immediately.

“WEDNESDAY, May 12th, 1796. Half-past three o'clock.

“T. PICKERING.”

“TO THE PRESIDENT OF THE UNITED STATES.”

This communication to the President, embracing topics of the highest moment, and entering into details as to persons and affairs, is a remarkable production. It occupies ten pages; the subjects are well arranged and composed, and the style clear, correct, and easy. The public interest required that it should be prepared. Washington was waiting for it, and the task was resolutely encountered. So completely did he control his faculties and sensibilities in that trying hour, that there is no indication, but in the final clause, of the sufferings his heart was undergoing.

Upon concluding, he mounted his horse and hastened to Germantown. The dying scene closed; and the letters he wrote that evening to his sons at Cambridge, and his sister at Salem, conveyed intelligence of the sad event.

Writing July 22d, 1796, to the Reverend Doctor John Clarke, of Boston, Colonel Pickering says:—

“ I expect the pleasure of seeing my two sons from Salem in one week. For the joy and solid satisfaction I anticipate in meeting them — the eldest particularly — I am greatly indebted to you, their ‘ guide, philosopher, and friend.’ They, I hope, will manifest their gratitude by continuing to follow your enlightened and benevolent counsels. God preserve you, that your usefulness may be as extensive as your benevolence.”

Doctor Clarke wrote to him, before receiving the above, on July 24th, as follows:—

“ MY DEAR FRIEND,

“ I have only time to inform you that your son did himself and the college honor by his performance on the commencement day. His elocution was excellent, and made the most favorable impression on an admiring auditory. It is impossible to describe the sentiments of respect with which he

has inspired all who know him. He is, without exception, the *best youth* in the whole circle of my acquaintance. In composing the small volume of letters which accompanies this, I had your son in contemplation. Consider them as addressed to your son."

John Lowell, in a letter of August 1st, 1796, introducing his son, J. Lowell, Junior, to Colonel Pickering, says: —

"I cannot resist gratifying your parental feelings by assuring you that your son, after having passed his literary course at Cambridge, with an unblemished character, leaves it with the high approbation of the Governors of the University and the affections of his fellow-students."

The two brothers reached Philadelphia on the morning of July 30th. After so long an absence of each the meeting was of the highest interest, the elder returning on the completion of his college course, crowned with academic honors; the other to enjoy a vacation at the conclusion of his first year as an undergraduate. Nothing could have been better adapted to assuage the grief of the family at its recent bereavement, or to shed a happy influence over the household.

On the 16th of August Colonel Pickering wrote to his brother, as follows: —

"I have detained my son Timothy to prolong his visit, after a four years' absence, and when a renewed absence of three years more was to commence. To-morrow he is to leave this place for Salem, whence he will return to Cambridge as soon as possible. I have given him one hundred and twenty-six dollars to defray the expenses of his journey and support himself at college for a little time to come. I shall endeavor to continue such support, for I never meant that he should be burthensome to you for his college education.

"I have now to express my cordial thanks for your tender

care of my son John, and the provision you made for his education. You must be happy in the reflection, as I am, that he has profited so well of the advantages you placed in his hands. I propose that he should study the law in this city, and qualify himself for practice. There is, I think, a wider field for a diligent and able lawyer here than at the eastward. But, if he should not engage in the practice, a law education more than any other will qualify him for active business in life, but especially for public business. The practice of the law, however, is what is now contemplated for him; and although his talents are not brilliant, he possesses that solid understanding, and is so addicted to study, that I am sure it will be in his power to make a handsome figure at the bar; and his amiable qualities must contribute to his success. He will live with me, which will place him in the way of seeing many public characters, and give him that degree of confidence in himself, to which, by his good sense and knowledge, he is so justly entitled."

Colonel Pickering's friends in Massachusetts were much troubled about his pecuniary affairs. They had always felt that he was too exclusively devoting himself to the public service, not sufficiently provident of his own interest, and that he ought to be laying up something for an ultimate dependence. Notwithstanding the high stations he had occupied, the wide spheres of laborious activity in which he had moved, since the day he joined the army of Washington as Adjutant-General, and, for those times, the considerable emoluments of his military and civil offices, it was quite evident that all his patrimonial property had disappeared. His family expenses, it was true, had been large; but, in no other respect, was there an uncommon drain upon his resources. His personal habits, moreover, and those of his family, were seen to be simple and frugal. The idea got currency among them that he had become involved

in land speculations, and that the balance of the salaries of his various offices was absorbed in that direction. His eastern friends, having no confidence in such investments, were uneasy on the subject. His sisters particularly, showed this feeling in their correspondence with him. To one of them, who had expostulated and remonstrated touching this matter, he replied in the following letter : —

“ PHILADELPHIA, August 16th, 1796.

“ DEAR SISTER,

“ I received your letter by my son John, and thank you for your frankness, as it furnishes an occasion to relieve your anxiety for me and my fortunes.

“ I shall endeavor to prevent Timothy’s being burthensome to my brother for his college education. I always intended to defray that expense myself, and I am able to do it.

“ You are concerned about my land speculations, lest they should ruin me. Perhaps my last purchase in North Carolina may prove less advantageous than I expected ; but if I lose it all (eighty-five thousand acres) I shall not be ruined. Suppose those acres sunk in the sea, I possess lands in Pennsylvania alone of the clear value of fifty thousand dollars ; and my lands in Virginia and the western world are worth several thousands more. And for all these I owe nothing. I am indebted only for the large body in North Carolina. Now you know that I brought a very small property into this country ; and consequently that all I am now worth was gained by speculations in land. In 1785 I purchased about twelve thousand acres in Pennsylvania, which cost me about one shilling, in lawful money, an acre. For a small tract of this, of between two and three hundred acres, I have been offered, and refused, seven dollars an acre. There is more of a similar quality, though not much ; but the lowest value of the worst tract is not below two dollars an acre.

“ I have mentioned this instance as a *sample* of my land speculations.

“ Last winter I sold my farm at Wyoming for £2,800, this currency, that is, \$7,466 $\frac{2}{3}$; but, for the greater part, I

was obliged to give time for payment; otherwise I should, before this time, have paid all I owe for my North Carolina land. For this also, by the sale of part of it, or of other lands, I shall endeavor to make early payment, for I do not like to be in debt.

“Timothy will deliver you this letter; and to him I must refer you to answer all the inquiries your affection, and your curiosity will make about me, my wife and children.

“Affectionately adieu!

“TIMOTHY PICKERING.

“Mrs. SARAH CLARKE.”

Mrs. Clarke was in the right. It cannot be denied that Colonel Pickering was deluded in his land operations. His vindication of them, just as in the case of almost all others who have been led to embark in such speculations, was defective in essential points, wholly overlooked. The idea that had drawn him into them, and of which it was impossible to disabuse him, was that, having a large number of sons, it was a sure way of providing them severally with extensive and valuable landed estates. He was, himself, a genuine farmer, and found in the labors of the field the greatest enjoyment; and it never seems to have occurred to him that any one could regard them in a different light. But it turned out that none of his sons had any taste for agricultural employments; only one of them ever undertook the business, and he but for a brief period. His reasoning, in this particular, was found to have been wholly fallacious. Then, further, he was entirely confident that the increase of population, and the tendency of settlement to the interior, would, very soon, bring his wild lands to the market, and command for them a constantly increasing price. His calculations on this score were not realized. Still he clung to his cherished visions,

and justified them by arguments that cannot stand scrutiny. In his letter to Mrs. Clarke he estimated the value of his Pennsylvania purchase at fifty thousand dollars, because he had refused a large price for a choice lot of two or three hundred acres, and could sell advantageously another small portion. He thought, if he could sell his North Carolina land, it would enable him to pay what he owed for the rest. He flattered himself that he had sold his estate in Wyoming at a very good price; but he admits that he would not be likely, without long delay, and at great intervals of time, to get the pay for it. In this way he misled himself, as he never did in any other matter; and the result was that his resources became wholly exhausted. While able to work he was utterly unwilling to receive gratuities from his relatives. To use his own words, "So long as I can dig, I will not beg;" and the last years of his life would have been consigned to toil and poverty, had it not been for the dexterous munificence of his friends, in a business transaction with him, which will be described in its place.

In the year 1797 Colonel Pickering's public labors were manifold and important, but there was little in his private and domestic life to demand notice.

On the 4th of March, 1797, the administration of Washington terminated, and John Adams succeeded to the Presidency. Although he continued Colonel Pickering in office as Secretary of State, and the relations between them were entirely friendly, the change was deeply felt by Pickering, as was natural from his long confidential intimacy with the retiring chief through nearly the whole period of the Revolutionary war, and

the first administration of the government under the Constitution. Washington never sought public life. If he had been prompted by selfish considerations alone, he would never have left Mount Vernon. The welfare, safety, and call of his country were imperative; and with modest reluctance, and a profound sense of the great trusts, he assumed them. Fully appreciating their magnitude, he was solemnly affected with a feeling of the momentous responsibility of his position; and at the head of the army, and during his Presidency, a smile was seldom seen upon his countenance; but when the evening of the last day of his administration was reached, friends calling at his residence were surprised to find him social, cheerful, and even joyous, as they had never seen him before. Writing to a friend in Europe, on the 4th of May, Colonel Pickering says:—

“ General Washington, the late President of the United States, has retired to his plantation, where he is attending to the useful and pleasing pursuits of rural life with the true satisfaction and secure happiness which flow from the consciousness of upright aims and actions, through a long series of years, in the service of the country.”

Writing to his brother, February 16th, 1797, Colonel Pickering says:—

“ My three youngest children have the whooping-cough, but not badly. The rest of the family are well. I never enjoyed better health myself. John has grown considerably fleshy, and exchanged his pale Cambridge face for a good color.”

In a letter to the Rev. Dr. Clarke, March 13th, he speaks of family and personal matters thus:—

“Accept my sincere thanks for your attentions to my son now at Cambridge. Your conversations with him and inquiries about him will prompt his exertions.

“John appears well pleased with law, but I think he would equally apply to any other study or business deemed useful to himself and approved by his friends. He is very diligent and very intelligent. If he lives, he will (I persuade myself) be conspicuous in his profession, or in public life, if introduced to it. For the latter I think a law education best adapted; but I should prefer his going to the bar, and, at all events, qualify himself to gain an independent living as a private citizen. Public favor is precarious, and public offices, honestly administered, will yield a bare support; it will be well if they do that, considering the disposition to penurious grants in our republic. Among our Representatives, there will always be many who will court popularity by their economy, and while they allow to our Ministers in foreign countries salaries to enable them to live respectably among other foreign Ministers, they are willing to starve their Ministers at home, and to forbid their keeping company with the Ministers of foreign nations residing amongst ourselves, unless as dependents at their tables. This kind of dependence has too much prevailed; but, as I am not paid in such manner as to reciprocate such civilities, I am resolved to avoid them in future as dishonorable to my country, if not to myself. For the same reason, I have very much refused invitations heretofore even among my fellow-citizens.

“My wife, her sister, and my children are all well, the twins excepted, who have the whooping-cough, but not badly, and they are getting better. My health sustains no injury from my employment, and with this I am tolerably well pleased, the ordinary duties being within the compass of my talents; but I should be better pleased if these were better, and if I had acquired the knowledge of history, of general law, and of the policy and commerce of civilized nations, which a Secretary of State ought to possess. I believe I have formerly told you that this office was not of my seeking. I sometimes look back, but at least as often look forward, on rural scenes and agricultural pursuits, and indulge the idea

that in those scenes I shall finish the drama of life. The retirement of the President does not render him an object of my envy. His virtues and public services and his fortune give him the best possible title to all the enjoyments that retirement can yield. But, if you only mean to ask whether, if placed perfectly at ease in my circumstances, retirement would not be my choice, I answer without hesitation that it would, and especially from the bustle, dissipation, and follies of the town. For this is, on the whole, a strange world, and the human kind a very imperfect order of beings. The longer we live, the more we are convinced of these truths. Of follies none displease me more than the many and frequent changes of fashions, — often to make the subjects of them ugly, or less beautiful than nature formed them. As applying to myself, the words of Pope (I believe it is) sometimes occur to me, on these occasions, in which he describes an ‘old prig who never changed his principles or wig.’ While all sorts of people are greased with pomatum, and whitened with powder, my bald head and lank locks remain *in statu quo*.

“ I think I have answered all your questions. Your friend, Jacob Williams, cannot have the agency relative to American seamen. Before the Senate rose, a Major Lenox of this city, and a very worthy man, was appointed.

“ I am truly yours.”

In a letter of April 12th to his brother-in-law Win-gate, after treating of some matters relating to foreign affairs, then engaging the feelings of the people and the attention of the government, he gives an account of his children, describing their distinctive characteristics. In the course of it, he thus speaks of his eldest son: —

“ John is closely studious; besides the law, refreshing his memory with the dead languages, and improving in the knowledge of them. He also occasionally reads French, and has made such progress in the Spanish as to translate it without much difficulty. His pretty extensive knowledge of the

Latin and French, I knew, would render the Spanish, as well as the Italian, easy to learn ; and the knowledge of various languages facilitates the learning of others. I therefore encourage these pursuits which are not laborious, but rather, by diversifying his studies, give pleasure. He is a youth of clear understanding, and ready discernment, beyond my former opinion. If he lives, he will do honor to himself and friends, and be qualified for public or private pursuits. I would have him bend his attention to the latter, that he may be perfectly independent ; and accept a public employment from choice only, or a sense of duty."

In the course of the summer the yellow-fever broke out in Philadelphia, and he removed his family and office to Trenton. Writing to General Washington, he thus speaks of it, under date of August 30th, 1797 : —

" To-morrow I move my family and office to Trenton. Not that I think the danger of the contagious fever in any measure considerable, but persons are occasionally taken with it in different quarters of this city, and there is certainly some risk ; and, as the places of the scattered patients are now studiously concealed by their friends and the physicians, we know not where the danger lurks. Such concealments are the consequences of the forcible removals to the hospital, which, doubtless, have caused the death of some that otherwise might have recovered."

In a letter to John Marshall, from Trenton, September 30th, he says : —

" The mortality is not to be compared to that of 1793 ; owing partly to the early alarm and removal of multitudes of the inhabitants. The burials have been from ten to thirty in a day for about a month past ; but many, of course, who were comprehended in those numbers, must have died of other diseases. Some of the inhabitants died in August of this malignant fever. It has also caused many deaths in Baltimore, chiefly at Fell's Point. It has appeared at Norfolk, and at Providence in the State of Rhode Island.

The physicians and others differ, as formerly, in their opinions about its origin, and not less in respect to the proper mode of treating it; and, on both questions, the writings of some partisans appear as malignant as the disease."

Although not so destructive as in a previous year, the recurrence of the pestilence in Philadelphia invested that locality with a wide-spread terror. Writing to his sister Sergeant, from Trenton, October 10th, 1797, he says: "Yesterday we had the pleasure of a visit from cousin Samuel P. Gardner and his young wife. They were accompanied by her brother, John Lowell, and his wife. They meant to have visited Philadelphia; and now will endeavor to get a sight of it from the opposite shore of the Delaware."*

The following correspondence occurred about this time:—

"SIR,

"I have frequently seen your name in the English papers, as filling a very high and respectable office under the American government, and bearing, as I do, the same name, and being the last of a worn-out stock, long settled in the island of Barbadoes, I am tempted to inquire whether your ancestry and mine is the same. I shall take it, therefore, as a particular favor if, in a leisure hour, you would acquaint me whether we bear the same arms and crest, and whether you trace your descent through an ancestor who fled from this country at the time of the civil war, in the reign of Charles the First; or whether you are descended from any of the same name in Barbadoes.

* It is to be borne in mind that, in accordance with the practice prevalent in the early period of New England, as in the mother country, Colonel Pickering often used the word "cousin" in a very comprehensive sense; although sometimes he adopted the then modern terms, "nephew" and "niece." Samuel Pickering Gardner was his nephew.

“ I am, Sir, with great respect, your very obedient, humble servant,

“ JOSEPH PICKERING.

“ August 8th, 1796.”

Be pleased to direct to the Rev. Joseph Pickering, Wickham, near Fareham, Hampshire, England.”

“ PHILADELPHIA, March 12th, 1797.

“ SIR,

“ I received your letter of the 8th of August, 1796, desiring some information of my ancestors.

“ I trace my descent from John Pickering, who removed from old to New England, either during the civil war, or a few years prior to its commencement, in the reign of Charles the First. He was my great-great-grandfather. In the Bible of my grandfather it was noted that the above-named John Pickering ‘was born in old England about the year 1615 ; that the time of his coming to New England is uncertain ; that he was married about the year 1636, and died about the year 1655 ; that he had two sons,—John, born in 1637 ; and Jonathan, in 1639.’ He settled in Salem, in Massachusetts, the place of my birth, and probably on the spot where my only brother now dwells. To his eldest son, John, were born two sons, John and William. The latter, John, had three sons,—John, who died a young man ; Theophilus, who was a clergyman (remarkable for the moderation and coolness of his temper, and steadiness of conduct, when the country were running, with fanatic zeal, after the celebrated itinerant preacher, George Whitfield) ; and Timothy, who was my father. Theophilus lived a bachelor, and died in 1747, when I was two years old. He was critically exact in all his affairs and notices of things. He left (I believe his own drawing) what have been considered the family arms.—a lion rampant, in a field ermine, with a helmet for a crest. Such is my recollection of the arms ; for the drawing remains at Salem. We pay little regard to these matters, which are of no use amongst us, unless to trace family connections, and distinguish seals.

“ There has been a tradition in the family that our first American ancestor came from Yorkshire. Perhaps this cir-

cumstance, with the detail I have given, may enable you to communicate more accurate information of my ancestry than, in this country, we have the power to acquire. The communication would be very acceptable.

“I shall commit this letter to the care of Rufus King, Esq., our Minister in London, through whom your letters will find a sure conveyance to me. I am, very respectfully, Sir, your obedient servant,

“TIMOTHY PICKERING.

“THE REV. JOSEPH PICKERING.”

“WICKHAM, near FAREHAM, HAMPSHIRE, June 30th, 1797.

“SIR,

“I have received your favor of the 13th of March, and its duplicate, both which Mr. King, the American Minister, has been so kind as to transmit to me. I have to thank you for your condescension in giving me some particulars of your family in answer to an inquiry which I had feared you would think either frivolous or impertinent; but I assure you no man has less curiosity in general, as to family connections, or genealogical researches, than myself.

Nam genus et proavos, et quæ non fecimus ipsi.

Vix ea nostra voce . . .

150 CO

“I have learned long since to hold very cheap ‘the pride of heraldry and pomp of power.’ But, when I found my own name standing in such high place in a country where personal merit is the only claim to distinction, I confess that I felt a proud wish to be derived—obscurely situated as I am—from the same stock; and when I considered that it is more than a century and half ago since the branch of the family to which I belong left England for America, I thought it highly probable that our families were the same. And I cannot but express the satisfaction I feel in finding, from your account, that they are so. Your arms and mine are exactly similar, and that circumstance I consider as proof enough. Our crests are different, but that is not material, since crests, the heralds tell us, are mere matters of caprice and fancy, and may be varied at pleasure; and therefore, are never allowed to be of any weight in the tracing of pedigrees.

“ It would give me great pleasure to be able to furnish you with a fuller and more accurate account of your ancestry than you have hitherto been able to obtain ; but, from the loss of family papers, I have not been able uninterruptedly to trace the line of our family higher than the close of the last century, when my great-grandfather was settled upon his estate, then and now called by his name, but now, unfortunately, in the hands of my late father’s mortgagee, in the parish of St. Lucy, in the island of Barbadoes. We have a tradition, too, that, about the time you mention, five or six brothers, sons of a man of property, either in Westmoreland or Yorkshire, left old England for New England, and that one of them went immediately from thence to Barbadoes. When I go again to London, I will make inquiry at the Heralds’ office, and, if I should be able to make any discoveries there upon the subject worth communicating to you, I will certainly acquaint you with them.

“ In the mean time, allow me to say, that I see with no inconsiderable satisfaction a name, now little distinguished in our hemisphere, risen to so high a degree of eminence in yours, and that it will go down to posterity in the same line with the name of Washington,— a name not only among the greatest, but *the greatest*, without exception, ever yet recorded in the history of the world.

“ I am, Sir, with the highest respect, your most obedient humble servant,

“ JOSEPH PICKERING.”

Sir Gilbert Pickering, baronet, sat for Northampton, in the Commonwealth Parliaments, and was one of Cromwell’s Council of State. The name appears among the gentry, and in the higher circles of society, during the reigns of Charles the Second and James the Second.

The emigration of several members of the family to Barbadoes is, without question, correctly stated, and it is highly probable that some of them came to America, among them Colonel Pickering’s great-great-grandfather. There was much intercourse between Barbadoes and the

Colonial ports of the American continent, particularly Salem. Indeed, in the earlier periods of colonization, Bermuda, Barbadoes, and Virginia were on the way hither. From the "Mayflower" down, vessels, pursuing a direct course, found themselves making the land at a point far northward of that aimed at. The Gulf stream was then unknown, and it deflected them from their supposed track, unaccountably delayed their progress, and baffled their reckonings, calculations, and observations. To avoid this perplexity; to escape the dangers of the rock-bound, stormy, and uncharted coasts of Newfoundland and Nova Scotia; and to secure milder weather,—many ships bearing passengers whose ultimate destination was New England, took a circuitous route by the Summer Islands, West Indies, and southern Atlantic settlements. So it might have been with the Pickering brothers, embarking in England for Barbadoes, and some of them finding their way to New England.

In 1797, William Smith of South Carolina, went to Portugal as Minister of the United States. John Pickering accompanied him, as Secretary of Legation. The following was written by Colonel Pickering to the Rev. Dr. John Clarke of Boston:—

"PHILADELPHIA, January 26th, 1793

"DEAR SIR,

"Some time ago, I received a letter from Mr. Smith, speaking of my son John in very handsome terms. Yesterday the Secretary of War put into my hands a letter from Mr. Smith to him, dated the 9th of October, from which it will give you pleasure to see the following extract:—

"I am exceedingly pleased with my young friend and Secretary; he has an excellent understanding, and the most amiable disposition; he is daily improving a sound judgment by

acquired knowledge, which he seeks with unremitted application. We began together to learn Portuguese, but he outstrips me, being recently from college. He has acquired the knowledge of the verbs, a very important part.'

" You will doubtless see, in the lying ' Chronicle,' a libel on me from the lying ' Aurora.' I have, for near two years, submitted to the general slanders in the ' Aurora ; ' but, on the 24th instant, appeared a specific charge of a shameful breach of the laws, by an unwarrantable demand of money *in my office*, and of detestable meanness in the manner of making the demand. To this libel I thought it proper to give an answer. You will find both in the enclosed paper. The Jacobinie scoundrels feasted on the imaginary discovery of *guilt* and *baseness*. It would be happy for their country, if the antidote of truth could stop their slanderous breath. But this is to be despaired of. They will find, however, the fruitlessness of their malice in attacking me. The vipers bite a file.

" When I read the libel, I did not imagine there was any color for the reproach. I called in two of my clerks in succession, and handed them the paper to read. The second at once acknowledged that he had taken the five dollars, but thought no harm, the payment being a *free gift*. I told him the act was glaringly improper, and that he must quit my office. He pleaded his innocence of intention, and that he had never done an immoral act. Persisting in my first sentiment, he said *he did not stand alone*. This alarmed me still more ; for I saw it would affect my chief clerk, with whom I had always left blank passports, to be filled up as people called, to prevent disappointment or delay. I am, therefore, constrained to dismiss both. I have consulted all my colleagues, and they concur with me in the necessity of this painful step : painful, because the clerks sustained fair characters ; had been long in the office ; would have been recommended, for their fidelity, to any employment ; were careful, steady, industrious ; and the chief clerk, from his long and accurate acquaintance with the books, papers, and business of the office, was eminently useful.

" The misfortune to the innocent, from public slander, is

that many hear it who do not hear the exculpation; so that, to be *accused* is to be *punished*, and complete reparation to the injured can never be made. I am now going to consult two or three friends, who are lawyers, on the nature of the libel, and if they pronounce the matter actionable, I shall prosecute the malicious author and publisher. The author is, doubtless, a Dr. Reynolds, one of our modern patriots, who, as I am informed, lately fled from justice in Ireland, but is now the intimate friend of Bache, and one of the *guardians of the liberties of the United States*.

“P. S. Bache, on demand for the author, has given up Dr. James Reynolds.”

The following is the article which appeared in the “Aurora” of January 24th:—

“MR. BACHE,

“The following transaction seems such a shameful breach of the laws which declare that passports, where due, should be given *gratis*, that it would be injustice to the public to conceal it.

“A dry-goods merchant now resident in this city, a native of Scotland, being about to go to Europe on business, in November 1796, wishing to obtain an American passport, called on the evening of the 11th of that month at the house in which the Secretary of State of the United States keeps his office. He there inquired for Mr. Pickering, and was told he was not within. At nine o'clock next morning he returned, and, repeating his inquiry, was informed Mr. Pickering was above, in the office; upon going upstairs, he found the gentleman alone, who made out a passport for him, which passport he yet holds, signed with the handwriting of Timothy Pickering, and bearing the seal of the United States annexed to it. The merchant, expressing thanks for the trouble he had given, begged to know the charge. The reply was, ‘*There is no particular sum charged*; it is left to the people’s generosity,’ or words to that effect. The merchant then laid down five dollars (in silver), which the other, saying ‘this is

rather much,' pocketed, rose, saw the merchant to the door, and made a low bow.

“SOUTH FRONT STREET.”

The next day, Jan. 25th, Colonel Pickering sent the following to the “Aurora”:—

“Mr. Bache, in your paper of yesterday you published a piece, with the signature of ‘South Front Street,’ in which I am, by name, charged with ‘a shameful breach of the laws,’ and a meanness in the act as despicable, as a breach of the laws would be criminal. I am charged with receiving, from a Scotch merchant of this city, five dollars for a passport, which should have been delivered *gratis*, and with a beggarly address to the merchant’s ‘generosity’ to obtain the money. The following affidavit of Thomas Wotherspoon, the merchant alluded to, proves that, as it respects me, the charge is utterly *false*, and as *malicious* as it is *false*.

“TIMOTHY PICKERING.

“DEPARTMENT OF STATE.”

The affidavit of Mr. Wotherspoon was sworn to before the Mayor of Philadelphia, on the day of the publication of the libellous article in the “Aurora.” It contains an account of his conversations with Dr. Reynolds, the last of which took place but a few days before, on the manner of obtaining his passport at the office of the Secretary of State. He positively swears that he told Dr. Reynolds that “he did not know Mr. Pickering.” He never stated that he paid him the five dollars, and that he dealt on the occasion with “a big, stout man,” whose name was then unknown to him. In the course of the affidavit he deposes, “that this morning a person called upon me about a publication in Bache’s ‘Aurora’ of this day, and the passport therein referred to. I immediately recognized him to be the person who had given me the passport, and to whom I

paid the five dollars. This person is a lusty man, a clerk in the office of the Secretary of State." He afterwards, but on the same day, ascertained his name, and the affidavit closes thus, "Lastly, that it was utterly without my privity or assent that the aforesaid publication was made in Bache's gazette."

Two days afterwards, William H. Todd, Esq., to whom Dr. Reynolds had referred in his conversation with Wotherspoon, as deposed by the latter, published in the newspaper an absolute denial of the truth of the statements of Reynolds, so far as they related to him.

This attack upon Colonel Pickering ended, as did all others upon his personal and official integrity, in the confusion of the party making it. Indeed, even at the height of the bitterest political animosities, there was never any doubt among the great body of his opponents as to his honesty and the purity of his character. In several instances, when partisan papers rashly ventured to asperse him on this point, they were forced, by the disapprobation of their own supporters, to make retraction in their columns. His opponents were not only withheld by considerations of justice from questioning his honesty: they felt that to do so was bad policy. In this respect it had, from the first, been the purpose, the study, the pride, the glory of his life to be invulnerable. In this was his power. It gave vigor, weight, and defiance to his speech and his pen. Whoever provoked a controversy with him affecting his honor and personal uprightness, was sure to come off second best.

Washington was highly indignant at this libellous attack upon Colonel Pickering's character, and thus speaks of it in a letter to him of February 6th, 1798:—

“ Notwithstanding there existed no doubt in my mind that the charge exhibited against you in the ‘ Aurora’ was a malignant falsehood, yet, satisfied as I am of the *motive* and the *end* intended to be answered by the publication, I have read with much gratification your explicit disavowal of its application. But the more the views of those who are opposed to the measures of our government are developed, the less surprised I am at the attempts and the means—cowardly, illiberal, and assassin-like—which are used to subvert it, and to destroy all confidence in those who are entrusted with the administration thereof.”

Speaking of the attacks made upon himself, Washington, in the same letter, says:—

“ I should treat the essays made to injure me with the contempt they deserve; but, when it is evident that the shafts, which are aimed *at me*, are calculated for a more important purpose than simply to wound my reputation, it becomes a matter of more magnitude, and merits consideration, which, if you have leisure to bestow, I would thank you for the result; being, with much truth and very great regard, dear Sir, yours, &c.,

“ G. WASHINGTON.”

A very particular affection and regard had always existed between Colonel Pickering and the Rev. John Clarke. They had been in frequent correspondence from the time when the latter was at college. The uncle looked upon him, as upon one of his own sons, and was proud of his usefulness, attainments, and reputation. The nephew reciprocated his personal attachment, and revered his character. Through Mr. Clarke he had constantly communicated with, and in reference to, the family in Massachusetts. He was grateful for the invaluable services he had rendered to his sons, while at school and at Cambridge, as “ guide, philosopher, and

friend." Their letters often related to public affairs, but oftener to religious subjects. Dr. Clarke invariably sent to him his publications, and there was a perfect accordance in their theological sentiments. It may well be imagined with what distress the following letter was received :—

“BOSTON, April 2d, 1798, Monday morning.

“RESPECTED UNCLE,

“It is an unexpected misfortune, the occasion of this letter, which it gives me inconceivable pain to announce. Our friend and relation, the Rev. Dr. John Clarke, was preaching yesterday afternoon; his sermon about half finished, his voice suddenly faltered; he put his hand to his forehead, and immediately sunk down into his seat. Assistance was afforded, and he was conveyed to his house. A paralytic affection seems to have pervaded the whole system; he lost the use of his limbs, from a general torpor and numbness; he could not swallow any thing; he was never able to speak; and expired this morning at three o'clock.

“A more solemn, affecting, and distressing scene to the family and all the relations I could not have detailed. Society and mankind will long lament the loss of so much learning, urbanity, and good sense. A pure, unimpeachable character secured the esteem and approbation of the virtuous, and will crown him with glory and happiness in another world.

“May the fatal arm of death long be arrested from over our surviving friends! long from over you and yours.

“Your affectionate, afflicted nephew,

“TIMOTHY WILLIAMS.”

“PHILADELPHIA, April 10th, 1798.

“MY DEAR SIR,

“Yesterday I received your letter of the 2d, giving the afflicting information that our intimate friend and relation, Dr. Clarke, was no more. The ways of Providence are unsearchable. If genius, learning, virtue, piety, could have insured length of days, that excellent man would have been spared,—the comfort, the joy, the pride of his friends, and

the ornament of society. Where shall we find his equal in all that is amiable, great, and good? Sometimes I have indulged the pleasing idea that I might return to Massachusetts, and spend the remainder of my days in the bosom of my first and best friends; but, with this, was always eminently connected the frequent enjoyment of the society of Mr. Clarke. But if this were denied me,— if I were never to see him again,— still the knowledge that he lived to bless his friends and to do good to mankind, would have consoled me. Alas! we must lament our heavy loss, while, as Christians, we believe that he has exchanged this world for a better. The most important and the most useful reflection to survivors is, Be ye also ready.

“Adieu, my dear friend and nephew,

“T. PICKERING.

“MR. TIMOTHY WILLIAMS.”

In a letter to his son John, of the same date, informing him of the death of Dr. Clarke, he says:—

“You knew his eminent worth, and, with me and all his friends, will long and deeply lament the loss we sustain. To us his death is untimely; to him it could never arrive too soon. Painfully separated from those we love, let us strive to imitate their good example, that we may joyfully meet them in another state of existence.”

Writing to the same again, April 26th, he dwells further on the subject:—

“When such excellencies, in the meridian of their splendor and usefulness, are taken away, we who remain have the deepest cause to mourn the deprivation. The disappointment of our hopes and expectations, in its first effects, almost induces the exclamation, Why should we toil, for years, for acquisitions which, in a moment, are destroyed and lost? Alas! all is indeed ‘vanity and vexation of spirit.’ And, if in this life only we had hope, the exclamation might not be unreasonable. But, viewing the cultivation of our talents in relation to another state of existence, our pursuit of every useful acquisition is desirable, considering the state of man

as progressive, and that enjoyments hereafter may be proportioned to our acquisitions in knowledge, virtue, and piety. All our toils, all our labors, will be abundantly rewarded.

“ God bless you, my dear son, with health and long life, usefully and agreeably to employ your talents, which you are so zealously and laudably disposed to increase by diligent study and meditation.”

In the summer of 1798, the yellow-fever again drove Colonel Pickering from Philadelphia. Writing to Rufus King, from Trenton, August 29th, 1798, he says :—

“ The public offices are removed to this place. The fever is more malignant than in any former year. Upwards of eighty persons, chiefly adults, died in the forty-eight hours, from the 25th to the 27th instant. The poor are the principal sufferers. Most of those who have the means have left, and are leaving, the city.”

The account against the United States for the removal of the Secretary of State and his family to and from Trenton, and extra expenses there three months, amounted to \$441.35. This included the cost of transportation of such office furniture as it was necessary to carry, and also what was allowed for the travel to and fro, and extra expenses of six clerks and a messenger. The transportation of any articles of private furniture and personal effects was at Colonel Pickering's own charge. There were no perquisites in those days ; and at no time did Colonel Pickering, besides the franking privilege, derive a dollar from office beyond his salary. His departments were always conducted upon the strictest principles of economy and exactness in the use of the public money. The annual salaries of the Secretary of State, six clerks, and a messenger, amounted in the aggregate to \$9,800. The contingent expenses

of the department for a year were “rent, firewood, and candles, newspapers for the office and to send abroad; publishing the laws of the United States in five newspapers; printing five thousand copies of the acts of the present session of Congress; binding the fourth volumes of the ‘Laws of the United States;’ printing sea letters and safe conducts; patents for useful arts, for lands to the Virginia line, and for lands sold by the United States; and Mediterranean passports, translating foreign languages, binding and purchasing books for the office, stationery, printing of blanks, &c., not included above; furniture for the office, and other miscellaneous expenses,” \$8,500! These estimates were for the year 1799. It is to be borne in mind that at no period since the formation of the government has the department of state had more difficult, complicated, and momentous functions to discharge than during Colonel Pickering’s administration of it.

Having been honored by the College of New Jersey, conferring upon him the degree of Doctor of Laws, the following correspondence took place between him and the President of that institution: —

“TRENTON, September 27th, 1798.

“SIR,

“The degree of Doctor of Laws, conferred on me yesterday at Princeton, was unexpected and, but that it would impeach the judgment of the Board of Trustees, I should add, as unmerited as it was unexpected. I have ever considered academic honors as the appropriate reward of literary merit, to which I frankly tell you I have no pretensions; and, had I been previously advised of the intention of the board, I should certainly have requested them to reserve the honor for a more deserving object. My life has been an uninterrupted scene of *business*; and I have daily to regret the

want of *literature*, which would facilitate the performance of my official duties, and, at the same time, render my services more acceptable, as well as more useful, to my country.

“I do not know how others are affected by undeserved honors and applause; but to me they have ever been sources of mortification rather than of pleasure: they reproach me with my conscious defects. My only consolation is, that I am not an idle servant, and that my labors are sincerely directed to promote the welfare of my country. So far as this goes, the board, I trust, will never have occasion to regret the expression of their good-will and respect.

“Perhaps I should have been more at ease, if I had not been singly honored when my excellent colleague sat at my elbow. Permit me to assure you, Sir, that Mr. Wolcott, while of unblemished integrity, is decidedly the ablest man in the administration.

“With sincere respect and esteem, I am, reverend and dear Sir, your obedient servant,

“TIMOTHY PICKERING.

“THE REVEREND DOCTOR SMITH, President
of the College at Princeton.”

“PRINCETON, October 1st, 1798.

“DEAR SIR,

“Modesty, I find, is ever the companion of the highest merit. You are, probably, not a fair judge in your own case. The public has long since decreed you higher honors than the college has it in its power to bestow. What she is able to give, she is proud to bestow on so able and upright a statesman. You have left no doubt on the mind of your country of your talents as a civilian, and a master of the public law of nature and nations. I wish the trustees of the institution had had, at the moment, the means of duly appreciating Mr. Wolcott’s merits on the same subject; perhaps they will on a future occasion. For myself, I am happy, in so conspicuous a manner, to attest the warm approbation with which I have always contemplated your agency in the administration of the Republic. The diploma, ordered by the college, will be transmitted as soon as I shall have obtained the signature of the customary number of trustees.

“ I have the honor to be, with the highest esteem and respect, dear Sir, your most obedient and humble servant,

“ SAMUEL SMITH.

“ TIMOTHY PICKERING, Esq., LL.D.,
Secretary of State.”

The degree of Doctor of Laws was conferred by the College of New Jersey upon Oliver Wolcott the next year.

Congress having established a navy department, President Adams sent to the Senate the name of George Cabot, of Massachusetts, as its Secretary. The Senate confirmed the nomination. Colonel Pickering transmitted the commission to Mr. Cabot, accompanying it with a private letter, earnestly soliciting him to accept the appointment, to which this was the reply: —

“ BROOKLINE, May 11th, 1798.

“ MY DEAR SIR,

“ By the same mail which brought me your official letter of the 5th, I received a private one, to which I feel anxious to make a satisfactory reply. Although, it is true, that my inclinations, habits, and interests, all remarkably concur in confining me to private life, and, although, in consequence of this, I have been continually growing less fit for any public station where great efficiency is required, yet, such is my zeal to maintain the political institutions of our country, and thus preserve the country itself, that I should not, at this moment, hesitate to engage in the office to which I am invited, if I were not perfectly convinced that the service is beyond my strength.

“ I have seen, with a painful sympathy, the tasks which our executive officers are called to perform, and have often made the reflection that, if they were not capable of the most intense and persevering application, the public business must suffer. I have seen with pride, however, that the affairs of our executive government have been conducted with a degree of order, intelligence, and steadiness that do great honor to the nation; but I must be allowed to say that I am inca-

pable of imitating those efforts which in others have been productive of so much good. This is a circumstance so important, that, in my estimation, it greatly outweighs the advantage of any practical knowledge which a person could be supposed to bring to the office. It is undoubtedly requisite that the officer at the head of the naval department should possess considerable knowledge of maritime affairs ; but this should be elementary as well as practical, including the principles of naval architecture and naval tactics. He should also possess skill sufficient to arrange systematically the means of equipping, manning, and conducting the naval force with the greatest possible despatch, and with the least possible expense ; and, above all, he should possess the inestimable secret of rendering it invincible by an equal force. Thus a knowledge of the human heart will constitute an essential ingredient in the character of this officer, that he may be able to convert every incident to the elevation of the spirit of the American seaman. Suffer me to ask how a man who has led a life of indolence for twenty years can be rendered capable of these various exertions ? In the present case, it is physically impossible, notwithstanding the grateful sensations which are excited by so flattering a testimony of the national confidence. Yet, I think I do not deceive myself in saying that I had rather not have been thought fit for this office, than be justly chargeable with refusing, at this time, any essential service which I could and ought to perform. Let me, therefore, repeat that, waiving all other objections, it is an *insuperable one* that my powers are inadequate to the work. To be obliged to offer apologies, however just, when substantial aid is demanded by the government, would, of itself, have given me great pain ; but this is exceedingly increased by the consideration that I must disappoint those to whose friendly sentiments I am always indebted, and whose esteem I cannot part with without the greatest regret.

“ In reply to your questions, I would say, it is not to be expected that a man will be found possessing the ability to perform at once all the duties of an office, new and difficult ; but I trust men may be found — and it seems to me indispensable that such should be found — who will, by industrious

application of genius and talents, soon acquire the requisite qualifications. I well know many of the circumstances respecting your appointment to the department of state, and I feel myself at liberty to insist upon the example, to show that a man who has been accustomed to apply his powers properly to a few things becomes capable of every thing. The power or habit of intense and persevering application is, in my opinion, one of the most rare and the most valuable of human talents. In great affairs, nothing can be done without it, and, with it, men of a certain force of mind and character can do every thing, and do every thing well. A man possessing this faculty is the man now wanted. It is a faculty, however, of which I am remarkably destitute, and your candor must admit the fact. I urge it in sincerity, as an abundant justification in declining the momentous and difficult trust with which it was proposed I should be honored. Under one cover with this I enclose an answer to your official letter, *which, I pray, may be considered as decisive and unequivocal.* I can never sufficiently express my gratitude for the sentiments of your private letter, and I must ask forgiveness for writing so much concerning myself. Accept my unfeigned wishes for your happiness, and believe me ever your faithful and obliged friend,

“ G. CABOT.

“ COLONEL PICKERING.”

The following characteristic letter explains itself. Major Lenox was one of the agents of the United States sent to London for the relief and protection of American seamen, particularly to secure the release of such as might have been impressed.

(PRIVATE.)

“ PHILADELPHIA, January 2d, 1799.

“ DEAR SIR,

“ By your last *private* letter it is manifest that mine, to which it refers, was considered by you as containing only *empty professions*. And you intimate a contradiction between that and a former letter on the subject of your salary. Of the

last you will feel little difficulty in admitting that I could have had no recollection ; but, if it had rested on my memory, it would not have induced any variation in the subsequent letter, any further than, after referring to it, I might have said that a subsequent view of the business committed to your management, as it then appeared to me, had produced a change in my opinion.

“ Long accustomed to reproach, as public men will be, I suffer from it perhaps as little as any man, whether the reproach be the offspring of error or of malice, and, but once or twice, have given myself the trouble of repelling it. Indeed, the refutation of newspaper slander would be an endless labor ; and, enjoying the consciousness of upright intentions, it does not disturb my repose.

“ I think too highly of your integrity and candor not to ascribe your injurious suspicions and insinuations to *error*, arising, or indulged, from a defective knowledge of my character, in which, if there be any thing estimable, it is my *sincerity* ; and it is because I think well of you that I wish the error to be corrected. Even a base mind will not prevaricate without a motive ; and can you imagine any improper one to influence me in reference to your salary ? What could I gain by its depression, except your displeasure ? While, by its increase, I might have received your thanks and the continuance of your good opinion. The real and only considerations for its increase, at this time, are assigned in my official letter of this date. I wish it may give you satisfaction, and that you may, less than I, be a subject of groundless suspicion and reproach. With unabated friendship and esteem, I am, dear Sir, your obedient servant,

“ TIMOTHY PICKERING.

“ DAVID LENOX, Esq.”

Timothy Pickering, Junior, graduated at Harvard College with the class of 1799, on which occasion his father wrote as follows to John Pickering, of Salem :—

“ PHILADELPHIA, July 31st, 1799.

“ DEAR BROTHER,

“ When my second son is on the point of returning from

New England, after being seven years under your patronage and fostering care, I cannot omit expressing to you my grateful sense of your kindness and liberality to him and his elder brother. I trust they will never forget their obligations to you. I hope you will live to see them become useful and excellent members of society, which I am sure you will feel as a most acceptable return for your provision for, and attention to, them.

“These sentiments I hoped to have expressed to you personally, but it was impossible for me to visit Salem this summer. I please myself with the idea of doing it the next. I continue to enjoy perfect health, and remain, with great affection, ever yours,

“TIMOTHY PICKERING.”

While John Pickering, Junior, was in Lisbon, he had leisure and favorable opportunities to pursue his studies, and acquired a large addition to his knowledge of languages and literature. Considerable space has been given in this biography to his early history, as every reader must be interested in the formation of a character so distinguished as his became among the scholars of his country and his times. Writing to his father from Lisbon, April 5th, 1799, he says:—

“On the 10th of this month we set out on a journey to Coimbra and Oporto, &c. I anticipate much pleasure from this excursion, and particularly from our visit to the University. We travel as far as Coimbra in the stage-coach lately established here under her Majesty’s patronage,—this is the only thing of the kind in Portugal,—from thence to Oporto on mules, a distance of about seventy miles. The whole distance from Lisbon to Oporto is eighty Portuguese leagues, or about two hundred English miles, a paved road all the way, and in a most dreadful condition. We shall be only four days, however, on the road.

“Mr. Smith sent you, not long ago (by a Mr. Dewees, passenger on a Danish vessel), a box of very fine plums, to

be presented to my mother. I have promised the little folks some oranges, but I don't know when I shall fulfil my promise. I remember you all with the tenderest regard.

“ J. PICKERING.”

The journey occupied five or six weeks. He forthwith sent to his father quite a particular account of it. It is a very interesting paper, from which a few brief extracts may here be presented.

“ The first place of note in this route is Coimbra, which we reached in the afternoon of the 11th. This city, you will see by the map, is situated on the river Mondego. It is on the north side of the river (as all the towns along the sea-coast of Portugal are), on an elevated spot, and makes a beautiful appearance as you approach it. As we crossed the bridge, the sides of it were lined with students, who were taking their evening walk. They stared at us (as I remember we used to do at Cambridge on such occasions), and we, in return, examined them very attentively. Their dress was a *black cloak* and underclothes of the same color. But the most striking thing was their wearing no *hats*, or any other covering for the head. They have a kind of *cap*, as part of their uniform, but they never wear it, except on public occasions or in performing certain duties of the University. They generally wear the cloak thrown over the left shoulder, as you may have seen some Frenchmen or Spaniards do, and their mode of saluting a person is to throw open their cloak, making a bow at the same time.”

Speaking of the University, he says: —

“ The library is small, but contains some valuable books. It is at present out of order, and they have but lately thought of making a catalogue of the books, which was not finished at the time we were there. I inquired for Greek and Roman manuscripts. The answer I received was that there were very few remaining, for the Philips of Spain (II., III., and IV.), when they were sovereigns of this country in conjunction with Spain, carried away every thing valuable to adorn

the libraries of that country. All the valuable paintings and other monuments of art shared the same fate."

In describing the manners and customs of the people of that part of Portugal, he says:—

"I was much amused with seeing the peasants dance and sing their national dances and songs. The most entertaining part of the evening's amusement was what they call 'cantar ao desafio,' to sing in competition, literally, which is this: A country lad and lass, accompanied by a guitar, sing an *extempore* song in praise of their respective lovers, and in ridicule of each other's, just in the manner related by the ancient poets, of the shepherds and shepherdesses of those days. The verses, you will suppose, were not the most elegant, but much better than our country people would be able to make; for the Portuguese language admits of versification (I mean rhyme) much more easily than ours. The Portuguese, however, are famous for making verses. It is very often one of the amusements in genteel company. Some person gives a line of poetry, as a kind of text (which they call the *mote*), and another makes two or three stanzas (called the *glossa*), in each of which he is obliged to introduce, either at the beginning or end, the line proposed."

It was Colonel Pickering's wish and purpose to have this son thoroughly prepared for the profession of the law, and arrangements were accordingly made to have him complete his studies in England, where he could have access to Westminster Hall and the Inns of Court. In a postscript to a letter to his brother, Colonel Pickering says:—

"I intended that John should have gone with Mr. Smith to Constantinople, but that mission is suspended. I have written to John to go forthwith to England, to spend there the ensuing winter, and come home next spring. Mr. King, our Minister, has desired John may make his house his home while in London. Mr. Smith will be loath to part with him;

his good sense, knowledge, manners, and fidelity have procured Mr. Smith's entire esteem and attachment, repeatedly expressed to me in strong language."

While John Pickering was in England he was Mr. King's private secretary.

Colonel Pickering's second son, Timothy, left college with a strong repugnance to scholastic and academical life, and disinclination to any of the learned professions. He seems to have had an independent mind. An active life was in accordance with his tastes and inclinations. In a letter to his brother at Lisbon, he described his feelings and motives, which the latter explained in a letter to their father. "Tim complains sadly of college, and rejoices that 'in six months he would be free from the shackles of college government.' He is angry, as all the students are, that the laws should enjoin certain things which a sense of politeness ought to teach the scholars, but which I am persuaded it never would; and he will be of the same opinion after he has been from college a twelvemonth. With respect to his reputation at college, I am assured by one of my classmates (who is a tutor) that none stands higher with the government, either for scholarship or propriety of behavior. I can't imagine what has disgusted him. He manifests a predilection for a *military life*, and for a curious reason,—because the professions require too much hard study!" It was natural for John, whose delight through life was in "hard study," to be surprised at Timothy's aversion to it. The brothers were of an entirely different turn.

The result was that Timothy concluded upon a maritime life, procured a midshipman's warrant, and was

ordered to the frigate "Philadelphia," under the command of the elder Captain Stephen Decatur.

On the 7th of March, 1800, Colonel Pickering, in a letter to his son John, says: —

"I wrote you by the last packet, and expect this will find you in England. Nothing further occurs to be recommended to your attention there. As I proposed your making an excursion into the country, of course I can hardly expect your arrival in the United States before midsummer; and, if vessels offer for Salem or Boston, you will do well to embrace the opportunity of landing in Massachusetts, as you desired in your letter of December 6th. Perhaps you may arrive so as to make it convenient to meet your college friends at commencement in July.

"The frigate 'Philadelphia,' Captain Decatur, will sail *in all this month*, as the sailors say, and go to the West Indies, instead of Europe, in consequence of the 'Constellation,' Truxton, having been dismasted in an action of five hours with a large French frigate, which will oblige him to stay in port some time to refit; at least, this was the intention of the Secretary of the Navy. But I think Truxton (repairing at Jamaica) may resume his station by the time Decatur can man his ship and reach it. Hence I still hope he may go to Europe, according to his own earnest wish. Yesterday letters arrived from Captain Sever, who has arrived with the frigate 'Congress,' dismasted in a gale of wind. She, with the 'Essex' (the frigate built by the merchants at Salem), was bound to Batavia to protect our commerce, and convoy home our rich Indiamen. They sailed the 6th of January, and the 'Congress' was dismasted on the 11th. Captain Sever expresses some apprehension for the 'Essex,' which was but a mile from him, in the evening when the gale began. We have heard (not officially) that our envoys to France had arrived at Lisbon about the first of December. I expected the return of the frigate 'United States' before this time.

"Captain George Izard, Mr. Smith's brother-in-law, is going to Lisbon as his secretary, resigning his commission in the artillery.

“ The enemies to the present system of our government are using every possible means to introduce Mr. Jefferson as President, at the next election ; and, as they stick at nothing, they may succeed. A large portion of the people seem to me to embrace lies more readily than truth, and our Jacobin papers dispersed with incredible diligence, and *without expense* to multitudes of their readers, daily teem with atrocious lies and perverse misrepresentations against the President and all the chief officers of government, and leading members in Congress. Virginia has framed a law on purpose to secure every vote in that State for Jefferson, by destroying *district* elections. If, however, New York persists in her former course of electing electors by the legislature, they (the electors) will doubtless be, to a man, opposed to Jefferson ; and then Mr. Adams will again be chosen. I am prepared for either event, determined to act independently, in or out of office. My only solicitude is for my children, that I may have it conveniently in my power to give them educations suited to their capacities and dispositions ; and *that* I can accomplish by sales of lands if other means fail me. For the rest, though ashamed to *beg*, I am willing and able to *dig* ; and, if it were convenient to gratify my own inclinations, I would return to the calling of my ancestors, and become a ‘tiller of the ground.’ When the occasion occurs I shall do this without the least reluctance.”

In a postscript to this letter he says : —

“ The Jacobin lies that our cabinet is dividing and quarrelling, and particularly the President and myself, may be re-published in England, and therefore I note the matter, that you may be at ease on this score.”

Colonel Pickering’s charge of naval affairs while Secretary of War, and in several special instances, particularly in superintending the construction and equipment of the three great historical frigates, led him ever after to take a special interest in the war ships of the country. In a letter of the same date as the preceding, to the American envoys in France, he thus refers to the

engagement in which the “Constellation” was dismasted :—

“ Early in February Captain Truxtun had an engagement with a large French frigate (carrying, he says, upwards of 50 guns) in the West Indies, commencing at 8 o’clock in the evening and ending at 1 in the morning, when he had silenced the Frenchman’s fire ; but just then his mainmast and mizzen-topmast going overboard, the French frigate, whose masts were all standing, hoisted sail and escaped pursuit. Truxtun lost thirty-nine men, killed and wounded.

“ We have the satisfaction to learn that most of our frigates and sloops of war surpass as well English or French ships in sailing. Truxtun’s (the ‘Constellation’) came up with the frigate above mentioned after a chase of twelve hours ; but the ‘Constellation’ is reputed one of our dullest sailors.”

Truxtun’s victory over “L’Insurgent,” a year before, had made the “Constellation” a name of terror. The frigate for which she had this long chase, whose battery she silenced, and which was so glad to escape from her, was the “Vengeance” of 54 guns, and 500 men, a greatly superior force.

On the 7th of April, 1800, the “Philadelphia,” having got ready to sail, Colonel Pickering, in parting with Timothy, handed him this letter :—

“ MY DEAR SON,

“ Your virtuous habits leave little room for advice. You have only to guard against *bad examples*, some of which *fashion* sanctions or excuses. My father used often to repeat the words of Solomon, ‘the fear of man bringeth a snare.’ But you have *fortitude* as well as *virtue*, and a due sense of the obligations of *religion*. You will, therefore, let ‘the fear of God’ have ascendency over all other fears. Let no examples nor *ridicule*, which profane and weak men dread more than an ‘offence to Heaven,’ draw you from the pursuit of virtue. You will preserve your health with your virtue ; and, what is more val-

uable, an *approving conscience*, which will render sweet and consoling all your meditations. Let your *courage* be displayed against the enemies of your country, not in the most absurd as well as vicious practice of duelling. From this folly and crime, I trust, your prudence and good disposition will be an effectual guard, independently of a sense of obligation to preserve a life, not your own so much as it belongs to your country and your God. Face every danger which duty presents ; but I shall derive no consolation from vulgar applause, nor even from an act of Congress, because you remained on the tottering mast, and perished, *rather than quit your post, when no possible good could be derived from your keeping it.* Had Captain Truxton known the situation of Jarvis, on the main-top, he would have ordered him down, to save his life and the lives of the seamen in his charge. It could then have been no dishonor to foresee the impending destruction, and to avoid it without an order. It was a station that could have been resumed in a few minutes, if any good reason required it.

“ Do not neglect to write me by every convenient opportunity. On the means of preserving your health against the diseases of different climates, consult Captain Decatur, whose experience will be a sure guide. Attend to the first symptoms of disease. I think you will be in most danger from neglecting slight attacks.

“ I pray God to preserve you in health, in true honor, in virtue, and in his fear ; and to restore you to your parents,—their comfort and support in their declining years.

“ TIMOTHY PICKERING.

“ TIMOTHY PICKERING, Jr.”

CHAPTER IX.

Secretary of State. — Official Intercourse with foreign Nations. — Correspondence relating to Questions with Great Britain, and with France.

1796, 1797.

DURING Colonel Pickering's administration of the state department, its duties were very complicated and laborious. In the early stages of the operations of the government of the United States, the arrangements of the public offices were in an immature condition, and on a most limited scale. This arose from ignorance, previous to trial, of what the amount of their business would be, and was rendered necessary by having to forego desirable accommodations, until a permanent seat or capital of the government was fixed upon. The offices of each branch of the executive department were in one or two rooms of the residence of its head, or in a few chambers hired for the purpose in private houses. Experience taught the necessity of an enlarged clerical force ; but, in the mean time, the work was thrown upon the chiefs of offices, to a degree that it is difficult to conceive that any individual could have performed it. It was gradually, but very slowly, that Congress could be induced to authorize any considerable addition to the working force of the departments.

It appears by an inspection of the volumes of his manuscripts that a very large part, in fact, nearly the whole, of the papers and letters that proceeded from the Secretary, were written and rewritten by his own hand.

He made a first draught, and, after reflection, amended it by interlineation and erasure. He then made a fair copy, which was sent to its destination after a press copy of it had been taken. Those press copies show that they were from pages in his own handwriting. When the vast multitude of these documents is taken into view, it is realized how immense were the labors of his pen in this particular. A large part of his miscellaneous and private correspondence went through the same process in its production.

The functions of the Secretary of State at that time were various and complex. Besides correspondence with Ministers and agents from abroad resident in this country, and with Ministers and Commissioners of the United States at foreign courts and cities (elaborate and minute instructions were sent to them when occasion arose, as it constantly did); and communications with American Consuls in different parts of the world, conveying directions of all sorts as to the transaction of their official business,— the Secretary of State had supervision of territorial officers, and was often called to advise with judges, attorneys, and marshals of District Courts of the United States.

The management of the foreign intercourse of the country was then more difficult and critical than it has been since. The nations were never more embroiled. Portentous liabilities impended over all, and it seemed hardly possible to save the United States from being involved in the unknown fates that threatened to engulf, no man could tell which, or how many, of them. The wars then raging between the great maritime powers, not only convulsed Europe, but paralyzed commerce

everywhere, and brought into jeopardy the peace, prosperity, independence, and existence of all nationalities, in the old world and the new. The belligerents issued decrees and orders in council; and in various ways made pretensions and encroachments that included the navigation of all seas, under whatever flag, within their sweep.

This subject has been briefly spoken of in a previous chapter, but it requires to be more fully illustrated. Innumerable cases of capture and spoliation occurred. American vessels were condemned, against all the principles of public law, by prize tribunals of the belligerents. Seamen were imprisoned, or left destitute in foreign ports, or ruthlessly impressed, particularly by British naval officers. In all instances, redress was sought through the department of State; and the letters of owners of vessels, their captains, and the friends of suffering parties, with Colonel Pickering's replies to them, are found constantly occurring through the whole period of his service. The government sent agents and commissioners to England and the West Indies, to look after seamen who had been captured and needed relief, and to procure the release of those who had been impressed into a foreign naval service. These agents received their instructions from the Secretary of State, and held constant correspondence with him.

To show, in the most satisfactory manner, how he discharged these duties, the correspondence relating to them will be drawn upon. The letters and documents so fully explain themselves that but few comments are needed. The nations with whom he had chiefly to deal, were Great Britain, France, and Spain. What relates

to them severally will be presented in order. Silas Talbot, Lieutenant-Colonel in the Revolutionary army, afterwards Captain in the United States navy, eminently distinguished by military and naval exploits, and recently a member of Congress, was the agent sent to the West Indies. In his instructions, dated June 9th, 1796, after referring to the act of Congress "for the relief and protection of American seamen," directions are given for the regulation of his conduct, of which the following is the substance :—

" You will correspond with such persons in the different islands as you shall judge proper, to obtain the requisite information to enable you to administer relief and protection to our citizens and others, agreeably to the design of the act.

" More effectually to fulfil the objects of your appointment, you will find it necessary personally to visit at least the principal ports and places where American seamen are impressed or detained. Your inquiries will indicate these ; and nothing is to be confided to others which it will be practicable for you to accomplish yourself.

" You will keep this department constantly advised of the state of the business committed to your care ; more especially when obstacles occur to retard or prevent your affording our seamen the expected relief and protection, in order that proper representations may be made to the government whose officers or subjects continue the oppression of which we complain. You will particularly render an account of all impressments and detentions whatever from American vessels, agreeably to the requisitions of the law.

" It will be proper to tender your respects to the commanding officer on each station and in each port, to make known the authority under which you act, and to endeavor to form a just and friendly arrangement for the liberation of our seamen. While great firmness will be necessary in pursuing the proper measures for relieving our seamen, much prudence and

mildness in the manner will be indispensable. Resentment, unnecessarily excited, may refuse what a cool judgment would yield to a becoming solicitation."

The British Minister to the United States, Mr. Liston, gave to Colonel Pickering seven letters from him to British Governors and Commanders in the West Indies, to facilitate the objects of Captain Talbot's mission, and to be communicated to him. They were all of one tenor, and under flying seals, that they might be presented to any Governor or Commander in the West Indies. But the ministry in England had not the same liberal spirit on the occasion as their representative in America, as appears from the following letter from Colonel Pickering of August 31st, 1796:—

“DEPARTMENT OF STATE.

“To SILAS TALBOT, Esq.

“SIR,

“The British minister, Mr. Liston, lately called and informed me that he had received letters from his court, mentioning that the *residence* of a public agent of the United States in any British island of the West Indies was inadmissible; and he requested me to inform you of it. I do not conceive that the nature of your agency will permit you to take up a *residence* anywhere; but that it will require your being frequently moving from place to place, where British ships occasionally resort, on board of which you will find American seamen in great need of your assistance. Nevertheless, I was sorry to receive the information I have mentioned, not merely because it may, in some measure, defeat the object of your mission, but because it has the appearance of a design still unjustly to retain our fellow-citizens in bondage.”

The following letters still further illustrate the efforts of the government to obtain redress for wrongs done to American seamen by British officers:—

FROM COLONEL PICKERING TO MR. BOND, CHARGÉ
D'AFFAIRES OF HIS BRITANNIC MAJESTY.

"DEPARTMENT OF STATE, March 25th, 1796.

"SIR,

"The concurrent testimony of so many American citizens, whose names have been given to vouch for their information, published in the newspapers, relative to the frequent impresses of American seamen, especially in the West Indies, may well justify a belief that the outrages complained of are real, and too insulting, as well as too injurious, to be described without exciting the feelings which, in my letter of the 19th, were expressed. You are perfectly right, however, in asking for more regular proofs. These I shall endeavor to obtain, and, from time to time, hand them to you, agreeably to your request.

"I now enclose the affidavit of Captain Philip Saunders, of Salem in Massachusetts, and of his mate, relative to the impressment of Richard Eldridge, a native of Danvers, a town adjoining Salem. Edward Norris, the notary who has authenticated the affidavit, is personally known to me. He has been many years a notary-public in Salem.

"I take the liberty to enclose the copy of a letter from William Pickman to Mr. Goodhue. Mr. Pickman is the naval officer for Salem, and a man of candor. The outrageous and inhuman conduct of Captain Reynolds, at Jermie, is testified by so many witnesses as to compel a belief that the various accounts thereof are substantially true. However, I am taking measures for obtaining depositions in this, as well as other cases.

"The letter from Mr. Fox, Consul of the United States at Falmouth, of which an extract is enclosed, was received to-day. It confirms a fact mentioned in my last, that in England our seamen impressed were released on their own oaths."

At the date of the foregoing, Colonel Pickering addressed a letter to the Collectors of Portsmouth, New Hampshire; Portland, Newburyport, Salem, and Glouce-

ter, Massachusetts; Providence and Newport, Rhode Island; New London and New Haven, Connecticut; New York; Alexandria and Norfolk, Virginia; Edenton, Newbern, and Wilmington, North Carolina; Charleston, South Carolina; and Savannah, Georgia,—to this effect:—

“The newspapers frequently give accounts of impressments of American citizens, and of other outrages committed upon our citizens, by British ships of war; but, however well founded these relations may be, yet other documents will be required whenever reparation for these wrongs shall be demanded. I am, therefore, directed by the President of the United States to endeavor to obtain correct information on this subject, verified by the oaths of the informants. Such of these as shall enter the port of — will fall under your notice; and I must request you to have their depositions taken, at the public expense, in the most fair and impartial manner, before a notary-public, and transmitted, from time to time, to this office.”

The following is from Colonel Pickering to “his Excellency Governor Crawford, of Bermuda”:—

“DEPARTMENT OF STATE, April 21st, 1796.

“SIR,

“I had the honor to receive, this morning, your Excellency’s letter, dated the 8th of February, which I suppose should be the 8th of March, covering some despatches from Mr. Adams, Minister of the United States at the Hague, and the copy of Judge Green’s letter, of the 5th of March, in answer to your inquiry for those despatches; for your polite and friendly attention to which I beg you to accept of my acknowledgments.

“Be assured, Sir, that, far from considering you responsible, either for the improper captures made by Bermudian privateers, or the extraordinary decisions of the Court of Admiralty of those islands, the American government and citizens entertain a grateful, as well as a respectful, sense of your

enlightened and liberal views and conduct towards them. It is extremely unfortunate for both countries that your example has so few imitators. Their interest, happiness, and peace are, this moment, at hazard, from the keen resentments and indignant feelings of the citizens of the United States for the multiplied and continuous injuries they have received, and are receiving, from the officers and subjects of his Britannic Majesty. The advocates for peace and a return of good-will are silenced by the daily repetition of outrages, in the impressment of our seamen, the vexatious captures, and many illegal condemnations, of our vessels and their cargoes. Complaints of such captures and condemnations are especially pointed against the privateers of Bermuda, and the Judge of Admiralty there, whose proceedings are considered as scandalously partial and unjust, and as dishonorable to the British government as they are injurious to the citizens of the United States. I wish your representations of these proceedings may at length influence that government to make a due reform.

"I have the honor to be, with great and sincere respect, your Excellency's most obedient servant."

FROM COLONEL PICKERING TO RUFUS KING, AMERICAN
MINISTER AT LONDON.

"DEPARTMENT OF STATE, September 10th, 1796.

"DEAR SIR,

"I enclose a letter from Francis S. Taylor, Deputy Collector of Norfolk, relative to five impressed seamen. It appears to be written with candor, and merits attention. If, as the captain of the 'Prevoyante' (Wemyss) says, the dignity of the British government will not permit an inquiry on board their ships for American seamen, their doom is fixed for the war, and thus the rights of an independent, neutral nation are to be sacrificed to *British dignity*. Justice requires that such inquiries and examinations should be made, because the liberation of our seamen will otherwise be impossible. For the British government, then, to make professions of respect to the rights of our citizens and willingly to release them, and yet deny the only means of ascertaining those

rights, is an insulting tantalism. If such orders have been given to the British commanders (and Mr. Liston's communications, in the conversation of which I sent you a copy in my letter of the 31st ultimo, countenance the idea), the agency of Colonel Talbot and Mr. Trumbull will be fruitless, and the sooner we know it the better. But I would fain hope other things; and if the British government have any regard to our rights, any respect for our nation, and place any value on our friendship, they will even facilitate to us the means of relieving our oppressed citizens. The subject of our impressed seamen makes a part of your instructions, but the President now renews his desire that their relief may engage your special attention."

The foregoing letter being communicated to the President, he returned it to Colonel Pickering with the following note:—

"The enclosed is approved, and, if there is any authentic ground to go upon, it ought to be extended to the case of Captain Jessup by strong and solemn expostulation or remonstrance. This conduct of Great Britain cannot, must not, be suffered with impunity."

"G. WASHINGTON."

Colonel Pickering forthwith wrote again to Mr. King, as follows:—

"Since writing you this morning, on the subject of impressed seamen, the President has desired that the case of Captain Jessup may be noticed. We waited only for the original documents to arrive to make to the British government a solemn remonstrance on the tyrannical and inhuman conduct of Captain Pigot; but those documents having not yet arrived, I must content myself, for the present, with transmitting to you the newspaper account of the transaction. Nobody doubts but that it is substantially exact. I am only astonished at the quiet submission of Captain Jessup and other American citizens, victims of the frequent tyranny and cruelty of British officers, and that some of them do not take

instant vengeance on the ruffians who thus put them to the torture. The affair is left in its present form to your discretion. When the original documents come to hand, I shall hasten to forward them to you. In the mean time, the transaction seems to merit some attention."

The United States sloop-of-war "Baltimore," Captain Phillips, was convoying some American merchantmen to Havana. On the 16th of November, 1798, when approaching that port, and within gunshot of the Moro, they were intercepted by a British squadron, consisting of three line-of-battle ships and two frigates, who cut off three of the merchantmen, and took out of the "Baltimore" fifty-five of her crew. Captain Loring, the British Commodore, threatened to take every man who could not show an American protection. Against such a greatly superior force Captain Phillips could make no resistance; but he remonstrated against the indignity committed to his country's flag, and stated to Commodore Loring that the course he was pursuing would leave the "Baltimore" in an utterly defenceless state, and deprive her of nearly all her men, as not even those who were really Americans, or at least very few of them, could show protections, because it was always thought that the flag on board of a government ship was a sufficient protection. To this Loring gave no heed, whereupon Phillips threw the whole responsibility for the transaction upon Loring, stating that he would communicate the proceedings to his government. After a little cooler reflection, Loring sent back fifty of the fifty-five men, and immediately set sail with his squadron.

On the 31st of December, Harrison Gray Otis, a member of the House of Representatives from Massachusetts, offered the following resolve:—

“That the President of the United States be requested to lay before this House such information as he may possess relative to the impressment of seamen belonging to the United States sloop of war ‘Baltimore,’ into any ship or vessel belonging to the King of Great Britain.”

After being amended by adding after the word Baltimore, “or any other public-armed vessel of the United States,” the resolve, on the 2d of January, 1799, was carried without a division.

On the 8th of January Colonel Pickering wrote the following despatch to Mr. King:—

“DEPARTMENT OF STATE.

“SIR,

“I am directed by the President of the United States to transmit to you the enclosed narrative of Lewis Trezevant and William Timmons of an outrage committed on the flag of the United States, together with extracts of a letter from George C. Morton, consular agent of the United States at the Havana. As soon as Captain Phillips arrives and makes his official report to the navy department, it will be transmitted to you.

“In consequence of this insult, the President has directed the enclosed order to be issued to all our naval commanders, to resist every future attempt of the kind to the last extremity. A copy of this order I have sent to Mr. Liston with the letter, of which, also, a copy is enclosed.

“This act of Captain Loring excited, as you may imagine, no little sensation. It drew the attention of the House of Representatives, who passed the enclosed resolution, in pursuance of which, the narrative above mentioned, and extracts of Mr. Morton’s letter, have been communicated to them.

“To the extracts of Mr. Morton’s letter laid before the House, I have now added other parts relating to the capture of three American vessels bound to the Havana by Captain Loring’s squadron, on the pretence that fourpenny and sixpenny nails and osnaburgs were contraband of war,—the latter as sail-cloth, and the former because other than ‘unwrought iron.’ It is impossible that these articles should have been contem-

plated as falling within the 18th article of our treaty with Great Britain. The interpretation that would comprehend them appears to us a perverse one; yet they have been made the occasion of much injury and vexation to our merchants and mariners, as I formerly wrote you when complaining of the iniquitous proceedings of Judge Cambauld at Cape Nichola Mola. It is true that Captain Loring released two of the vessels captured, as above mentioned, near the Havana; but an erroneous construction of the treaty should not furnish a pretence for so serious an injury as the detention and carrying into port of the third, to gratify his resentment against a sturdy master. If this abuse in the construction of the 18th article of the treaty has not yet attracted the notice of the British government, or, if orders for correcting it have not been issued, the President desires that it may be a subject of representation together with the insult, which is the immediate object of this letter.

“ With regard to the insult on our flag, it will readily occur that the right of searching and stripping public vessels of war of their hands, if it exists at all, must be reciprocal; and it need not be asked whether the British naval commanders would submit to it; neither will ours. But if such search for and taking away of seamen were at all admissible in practice, it should be in our favor, because American seamen are generally on board British ships only by *impressment*, whereas the British seamen to be found in the armed vessels of the United States are *all volunteers*. And you will recollect that the British government have made a distinction between volunteer and impressed Americans,—releasing the latter when their citizenship was proved, but detaining the former, although they had entered and taken the bounty only in consequence of a *previous impressment*.

“ After these observations candor demands our acknowledgement of the general friendly and polite behavior of the British naval officers towards ours, and of their readiness to protect our merchant vessels against the plunderers of the world, and to afford them relief when in distress. An instance has very lately occurred in the Chesapeake. A British vessel of war, seeing an American vessel aground on a dangerous shoal, sent down cables and anchors and thirty seamen, who got

her off, and thus saved a valuable ship and cargo, which in the next four-and-twenty hours would have been dashed to pieces and lost.

“ You cannot too strongly express the desire of the President to maintain a perfect harmony between the two countries, and his regret at every incident tending to disturb it ; and which, while it sensibly wounds the real friends to their country, furnishes a topic of popular clamor to others whose enmity to their own government is equalled only by their hatred to Great Britain.

“ P. S. Through the intervention of Mr. Liston, signals have been agreed on by which the British and American ships on our coast and in the West Indies may know one another.”

The foregoing documents, presented merely as specimens of a voluminous correspondence, exhibit a view of the official intercourse between the United States and Great Britain, during Colonel Pickering’s administration of the state department. The European crisis at that time led to encroachments on American commerce most injurious and vexatious. Both belligerent nations pursued a course involving the detention, capture, and condemnation of vessels of the United States and the confiscation of their cargoes. Each case demanded the attention of the Secretary of State, and his labors from this source were unremitting. While more depredations upon American vessels and the property afloat in them were committed by the French than by the English, the wrongs suffered from the latter were greatly aggravated by the seizure and impressment of seamen. Great Britain carried into practice the feudal doctrine, which she has always asserted and never theoretically abandoned, of the inalienableness of allegiance, — once a subject, always a subject. Coupling this with a pretence to dominion of the seas, in the dread exigency which then required every, even the most desper-

ate, means to man her fleets, she arbitrarily and ruthlessly reclaimed the possession of all her native-born subjects, wherever they might be found. She brought to, on the high seas, and on all coasts, vessels of other nations; sent an officer on board to search them, examine their crews, seize from their decks whomsoever that officer should allege to be British subjects, and force them into her service.

France had bound herself by treaty not to attempt this practice upon vessels or seamen of the United States. The British government carried it into operation, not merely upon the merchant vessels but upon those belonging to the armed navy of the United States.

The American government and people were highly incensed at the conduct of British officers in the searches and seizures thus perpetrated. It has been seen that the indignation of Washington was so roused that he declared that such acts of indignity to the American flag and such outrages upon its citizens "ought not, and must not, escape with impunity," and ordered all officers in command of United States ships of war to resist them "to the last extremity." Colonel Pickering, in corresponding with the American Minister at London, over and over again instructed him to make known that it was not to be endured.

It was, indeed, an adequate cause of war. But, in the state of the world during Washington's administration, a war with either England or France was necessarily to be avoided. It would have made the United States, substantially, an ally of the other party, been fatal to our independence, and consigned our nationality to disaster and destruction.

All that could be done was to denounce the practice, to remonstrate against it in all the forms of diplomacy, and to forewarn England of the final consequences if it was persisted in ; by frank and solemn representations and persuasion, to convince that government that its interest and safety depended upon its immediate amelioration and early cessation ; and, in the mean while, by commissioners and agents, to procure the liberation of American seamen by every possible means. Success, to a great degree, crowned these efforts.

The grievances of which Americans particularly complained were mostly attributable to inferior naval officers, while many in authority, like the Governor of Bermuda, condemned the offensive proceedings of particular commanders and judges of admiralty.

The official correspondence arising out of the difficulties with England was marked with great plainness and force of expression on the American side ; and it is not to be questioned that President Washington and the Secretary of State performed their whole duty with faithful vigilance, and in a spirit worthy of their stations, and promotive of the honor and interests of the United States. The language of the British officials was uniformly respectful and courteous. There was nothing offensive in the bearing of the British Minister to the United States, Mr. Liston ; on the contrary, he manifested a friendly feeling, and an earnest disposition to allay dissensions by removing or mitigating the occasions of them. This cannot, however, be said of the French Minister or the Directory, as will now be shown.

The favorable disposition of the American government and people towards France was expressed by

Colonel Pickering in a letter of September 14th, 1796, to Charles Cotesworth Pinckney, then going to France as Minister from the United States : —

“ Your own observation will furnish abundant proofs of the zeal, and even enthusiasm, with which the people of the United States embraced the cause of the French Revolution. Having recently closed a contest for the maintenance and establishment of their own liberties, the attempt of any nation to recover its long-lost rights could not fail to attract the good wishes of the people of the United States. But such an attempt by the people of France, who had rendered them important aid in their own Revolution, was sure to excite the liveliest sensibility ; for every nerve was in unison, and the slightest motion there, produced here a corresponding vibration. You have felt, and you have witnessed, in your fellow-citizens a solicitude for the success of the French Revolution, scarcely surpassed and hardly to be distinguished from that which was manifested in our own struggle for independence. This strong sympathy demanded all the prudence and energy of our rulers to restrain it within the limits of that neutrality which our duty and safety and the interests of France herself required us to maintain.”

This strong sympathy between France and the United States was expressed most emphatically, and from the highest authority, on an occasion of marked and special interest.

President Washington, on the 4th of January, 1796, delivered to the two Houses of Congress the colors of France, with a message, stating that he had received them, by a public ceremonial, from the Minister of that republic, on the preceding Friday, “ the first day of the new year, a day of general joy and congratulation ; ” calling the attention of Congress to the fact that he had “ informed the Minister that the colors would be “ de-

posited with the archives of the United States," and concluding thus : —

" It seemed to me proper, previously, to exhibit to the two Houses of Congress these evidences of the continued friendship of the French Republic, together with the sentiments expressed by me on the occasion, in behalf of the United States."

• The following documents accompanied the communication : —

" *The Representatives of the French people, composing the Committee of Public Safety of the National Convention, charged, by the law of the 7th Fructidor, with the direction of Foreign Relations, to the Representatives of the United States of America, in Congress assembled.*

“ CITIZENS REPRESENTATIVES,

“ The connections which nature, reciprocal wants, and a happy concurrence of circumstances have formed between two free nations, cannot but be indissoluble. You have strengthened those sacred ties by the declarations which the Minister Plenipotentiary of the United States has made in your name to the National Convention and to the French people. They have been received with rapture by a nation who know how to appreciate every testimony which the United States have given to them of their affections. The colors of both nations, united in the centre of the National Convention, will be an everlasting evidence of the part which the United States have taken in the success of the French republic.

“ You were the first defenders of the rights of man, in another hemisphere. Strengthened by your example, and endowed with an invincible energy, the French people have vanquished that tyranny which, during so many centuries of ignorance, superstition, and baseness, had enchain'd a generous nation.

“ Soon did the people of the United States perceive that every victory of ours strengthened their independence and happiness. They were deeply affected at our momentary misfortunes occasioned by treasons purchased by English gold.

They have celebrated with rapture the successes of our brave armies.

“None of these sympathetic emotions have escaped the sensibility of the French nation. They have all served to cement the most intimate and solid union that has ever existed between two nations.

“The citizen Adet, who will reside near your government in quality of Minister Plenipotentiary of the French republic, is especially instructed to tighten these bands of fraternity and mutual benevolence. We hope that he may fulfil this principal object of his mission, by a conduct worthy of the confidence of both nations, and of the reputation which his patriotism and virtues have acquired him.

“An analogy of political principles; the natural relations of commerce and industry; the efforts and immense sacrifices of both nations in the defence of liberty and equality; the blood which they have spilled together; their avowed hatred for despots; the moderation of their political views; the disinterestedness of their counsels; and, especially, the success of the vows which they have made in presence of the Supreme Being to be free or die,—all combine to render indestructible the connections which they have formed.

“Doubt it not, citizens; we shall finally destroy the combinations of tyrants: you, by the picture of prosperity, which, in your vast country, has succeeded a bloody struggle of eight years; we, by that enthusiasm which glows in the breast of every Frenchman. Astonished nations, too long the dupes of perfidious kings, nobles, and priests, will eventually recover their rights; and the human race will owe to the American and French nations their regeneration and a lasting peace.

“The members of the Committee of Public Safety.

J. S. B. DELMAS,
MERLIN (of Douai), &c.

“PARIS, 30th of Vendémiaire, 3d year of French Republic, one and indivisible.
(October 21st, 1794.)

“THE MINISTER PLENIPOTENTIARY OF THE FRENCH REPUBLIC TO THE PRESIDENT OF THE UNITED STATES.

“MR. PRESIDENT,

“I come to acquit myself of a duty very dear to my heart; I come to deposit in your hands, and in the midst of a people,

justly renowned for their courage and their love of liberty, the symbol of the triumphs and of the enfranchisement of my nation.

“ When she broke her chains ; when she proclaimed the imprescriptible rights of man ; when, in a terrible war, she sealed with her blood the covenant she had made with liberty, her own happiness was not alone the object of her glorious efforts : her views extended also to all free people. She saw their interest blended with her own, and doubly rejoiced in her victories, which, in assuring to her the enjoyment of her rights, became to them new guaranties of their independence.

“ These sentiments which animated the French nation, from the dawn of their Revolution, have acquired new strength since the foundation of the republic. France, at that time, by the form of its government, assimilated to, or rather identified with, free people, saw in them only friends and brothers. Long accustomed to regard the American people as her most faithful allies, she has sought to draw closer the ties already formed in the fields of America, under the auspices of victory over the ruins of tyranny.

“ The National Convention, the organ of the will of the French nation, have, more than once, expressed their sentiments to the American people ; but, above all, these burst forth, on that august day, when the Minister of the United States presented to the National Representation the colors of his country. Desiring never to lose recollections as dear to Frenchmen as they must be to Americans, the Convention ordered that those colors should be placed in the hall of their sittings. They had experienced sensations too agreeable, not to cause them to be partaken of by their allies, and decreed that to them the national colors should be presented.

“ Mr. President : I do not doubt their expectation will be fulfilled ; and I am convinced that every citizen will receive, with a pleasing emotion, this flag, elsewhere the terror of the enemies of liberty, here the certain pledge of faithful friendship, especially when they recollect that it guides to combat men who have shared their toils, and who were prepared for liberty by aiding them to acquire their own.”

ANSWER OF THE PRESIDENT OF THE UNITED STATES.

“ Born, Sir, in a land of liberty ; having early learned its value ; having engaged in a perilous conflict to defend it ; having, in a word, devoted the best years of my life to secure its permanent establishment in my own country, — my anxious recollections, my sympathetic feelings, and my best wishes, are irresistibly excited, whenever, in any country, I see an oppressed nation unfurl the banners of freedom. But, above all, the events of the French Revolution have produced the deepest solicitude, as well as the highest admiration. To call your nation brave, were to pronounce but common praise. Wonderful people ! Ages to come will read with astonishment the history of your brilliant exploits ! I rejoice that the period of your toils and of your immense sacrifices is approaching. I rejoice that the interesting revolutionary movements of so many years have issued in the formation of a Constitution designed to give permanency to the great object for which you have contended. I rejoice that liberty, which you have so long embraced with enthusiasm, — liberty, of which you have been the invincible defenders, — now finds an asylum in the bosom of a regularly organized government ; a government which, being formed to secure the happiness of the French people, corresponds with the ardent wishes of my heart, while it gratifies the pride of every citizen of the United States, by its resemblance to their own. On these glorious events, accept, Sir, my sincere congratulations.

“ In delivering to you these sentiments, I express not my own feelings only, but those of my fellow-citizens in relation to the commencement, the progress, and the issue of the French Revolution ; and they will cordially join with me in purest wishes to the Supreme Being, that the citizens of our sister republic, our magnanimous allies, may soon enjoy, in peace, that liberty which they have purchased at so great a price, and all the happiness which liberty can bestow.

“ I receive, Sir, with lively sensibility, the symbol of the triumphs and of the enfranchisement of your nation, the colors of France, which you have now presented to the United States. The transaction will be announced to Congress ;

and the colors will be deposited with those archives of the United States, which are at once the evidences and the memorials of their freedom and independence. May these be perpetual! And may the friendship of the two republics be commensurate with their existence.

“ G. WASHINGTON.

“ UNITED STATES, January 1st, 1796.”

In the American Annual Register for the year 1796, the foregoing speech of Adet, and the President's reply, are printed; the editor, remarking on the latter, says: “ In his address to citizen Adet, we recognize the masterly and well-known pen of George Washington. The piece is couched in terms of unusual animation.”

In point of fact, the reply was wholly written by the Secretary of State, and bears no marks of Washington's style. It is evident that, in composing it, Colonel Pickering sought to give it a vein of sentiment and expression similar to French usages of diction.

While the earnest disposition of the American administration to cherish the warmest sympathies with France was thus signally manifested, the pleasing anticipations of an agreeable intercourse between the two republics, promised by this exchange of affectionate expressions, were not realized. The people and government of revolutionary France were perfectly confident that the United States would repay the debt of gratitude owed to France, for her having made common cause with them in their struggle for independence, by becoming open and active allies against the despots of Europe; and, when it was discovered that Washington could not be moved from his determination to preserve a strict neutrality, surprise was followed by resentment against him,

and against the party in the United States of which he was the head. It became the fixed purpose of the rulers of France to lend their whole strength, in the use of money and all other means, to break down that party, and aid the opposite party in the United States, who were making a special friendship for France the chief issue in American politics, to gain possession of the government of the country. The ambassadors sent to the United States entered into active co-operation with the opposition, took counsel with its leaders, contributed to the support of its newspapers, and in various ways strove to annoy the government; seized every occasion, however frivolous and far-fetched, to find fault and circulate complaints against it; and their official communications even were discolored with a partisan spirit. Irritation and alienation were the natural results of this extraordinary and reprehensible course of the French Ministers.

Within eight months after the ceremony of delivering and receiving the colors of France, Colonel Pickering, in his letter to Mr. Pinckney just quoted, after describing the predisposition of the United States to be on the most friendly terms with France, says: —

“ Unhappily, in the course of the successive and violent revolutions of parties in that country, attempts were made tending to produce one in our own. You will perceive that I refer to the extraordinary proceedings of Mr. Genet during the short period in which he was the accredited Minister of the French republic to the United States. Nevertheless, to the anarchical proceedings of himself and his agents, to their flagrant insults to the authority of the laws, and to their endeavors to involve us in foreign war, was opposed only the exercise of the established powers of the government. To this forbear-

ance, indeed, a reliance on the firmness of our citizens in their principles of peace and order proportionally contributed.

“ This man, agreeably to our request, was speedily recalled; and, in his successor, we hoped to find that candor and moderation which, superseding all suspicions, would permit us to indulge in that pleasing amity, and those cordial good wishes, which our original sentiments inspired. But here, too, we were in no small degree disappointed. Prompt to complain on the slightest cause, and, not seldom, on mistaken ground; equally ready to charge, as violations of our treaty, acts which, on a fair exposition of the articles, were perfectly innocent, and founded on the neutral ground we had taken, an unpleasant altercation soon began, and, towards the close of his mission, rose to a degree of asperity, accompanied with a marked alienation from the government, and a studied neglect of those easy civilities which foreign ministers were accustomed to render to the Chief Magistrate of the United States. A single remark might seem sufficient to account for this issue of Mr. Fauchet’s mission. He received his appointment under the administration of Robespierre. The change of system consequent on the death of that scourge of France and opprobrium of human nature, was followed by a change in the representation of France to the United States.

“ In Mr. Adet we trusted to experience all that frankness, and all those evidences of confidence, which the sincerity of our government, and its real good-will to France, might justly challenge. He was informed, by the President himself, of the true situation of the United States, and, in the most friendly as well as the most serious manner, cautioned to avoid the rock on which the harmony that attended the commencement of his predecessor’s mission had been wrecked. Mr. Adet received this information and these cautions with that propriety and apparent cordiality which might be looked for in a man of sense and a well-disposed Minister. But, although no interruption of customary civilities has ever happened, although the external appearance of harmony subsists, his conduct has plainly indicated a distrust in the government; a distrust probably cherished, perhaps excited, by those of our citizens with whom he has chiefly associated.

Under such circumstances the best interests of the two nations may be injured by mutual jealousies; for distrust on one side, begets suspicion on the other. Unhappily, as was natural, the distrusts and jealousies of the ministers have been communicated to their nation, or to the government of their nation; and, while they consider the *people* of the United States as the warm and invariable friends of France, they have been persuaded to believe that the *government* is hostile to their interests, and perhaps even to the principles of the Revolution. Nothing can be more unfounded than this opinion concerning the government of the United States; and nothing is more important to the interests of the two countries than its eradication, than the restoration of mutual confidence as the basis of mutual good-will and of the exercise of offices highly and reciprocally beneficial.

“ Faithfully to represent the disposition of the government and people of the United States (for their disposition is one); to remove jealousies, and obviate complaints by showing that they are groundless; to restore that mutual confidence which has been so unfortunately and injuriously impaired; and to explain the relative interests of both countries, and the real sentiments of your own,—are the immediate objects of your mission.”

All attempts to persuade Mr. Adet to avoid the course of his predecessors failed. He immediately began “to complain, on the slightest cause,” of the proceedings of the government to which he was accredited. A fortnight after the ceremony of presenting the flag, Colonel Pickering had occasion, in replying to a communication, to speak thus: —

“ I have received your letter of the 9th, indicating your regrets at the disposition which had been made of the colors you presented to the United States, and your opinion that all France will be dissatisfied.

“ You remark that, when the National Convention decreed that the colors of France should be presented to the United

States, there was but one opinion on the place where they should be deposited ; and as a decree had placed those of the United States in the hall of the legislative body, that the French colors would here receive the same honor. You even suppose that the depositing these colors among the archives of the United States will be received as a mark of contempt, or, at least, of indifference.

“Indeed, Sir, I should extremely regret that the real and essential friendship of two free peoples should be wounded by a circumstance of this kind, resulting from the different ideas they entertain of the mode most proper for preserving the signs of their liberty, and of the victories and triumphs by which it was acquired.

“It should be remembered that, when it was decreed by the National Convention that the colors of the United States should be placed in the hall of their sittings, the Representatives of the French people assembled in one room, and that their own colors, it is understood, had been there previously exhibited.

“In the United States, on the contrary, the Representatives of the people are divided into three branches ; for the President and Senators are as truly the Representatives of the people as the members of the other house ; the only difference being this, that the latter are chosen immediately by the people, and the two former by persons whom the people have previously chosen to elect them. But each of the three branches of the Representatives of the people has its peculiar duties. While that of the House of Representatives is confined to objects of *internal legislation*, and that of the Senate, embracing the same objects, extends partially to some external concerns, the President is *the sole constitutional organ* of communication with foreign nations ; and for this purpose the *people* have appointed him their *sole representative*. When, therefore, the colors of France were delivered to the President, they were, in the only proper manner, presented to the people of the United States of America, for whom the President is the only constitutional depository of foreign communications. Of these the President transmits to the two houses of Congress such as he thinks proper for their information, and thus the colors of France were exhibited to their

view. But the United States have never made a public display of their own colors, except in their ships, and in their military establishments.

“ Under these circumstances, what honor could be shown to the colors of France more respectful than to deposit them with the evidences and memorials of our own freedom and independence? If to the United States only the colors of France have been presented, I answer that the colors of France alone have been deposited with our national archives, that both may be preserved with equal care.

“ I must also remark, that the people of the United States exhibited nowhere, in their deliberate assemblies, any public spectacles as the tokens of their victories, the symbols of their triumphs, or the monuments of their freedom. Understanding in what true liberty consists, contented with its enjoyment, and knowing how to preserve it, they reverence their own customs, while they respect those of their sister republic. This, I conceive, Sir, is the way to ‘ maintain peace and good harmony between France and the United States,’ and not by demanding of one nation an adoption of the manners of the other. In these we must be mutually free.

“ This explanation, Sir, I hope will be satisfactory to you and to your government, and, in concurrence with the manner of receiving the French colors, and the unanimous sentiments of affection and good wishes expressed on the occasion by the President, the Senate, and the House of Representatives, effectually repel every idea that could wound the friendship subsisting between the two nations.”

The following letter from Colonel Pickering to Mr. Adet, dated “ Department of State, March 14th, 1796,” shows to what trivial circumstances the latter descended to find matters of complaint against the government of the United States:—

“ SIR,

“ I received your letter of the 3d instant, complaining of an alteration introduced into some periodical works, par-

ticularly the directory printed at Philadelphia, in which the names of foreign agents in the United States are so arranged that those of Great Britain precede those of France, although (you observe), not only in the United States, but in all the world, France has always enjoyed, in the diplomatic line, the precedence of Great Britain.

“ You rightly imagine, Sir, that works of this kind are not here, as in Europe, edited under the direction of government. They are all the property of individuals, who print what they please, and in such order as their ideas of propriety, or humor, or accident, may direct. The contents of such annual works are usually confined to facts, the details of which are not of a nature to be subjected to any legal regulation.

“ Supposing the alteration in the order of publishing the names of the agents of foreign powers in the United States to have originated in an error, without any direction from the government, you ‘request that the error may be corrected by a suppression of the publication and distribution of the directory and other almanacs in which the same error has been committed.’ But, Sir, this is impossible. These works are, as I have before observed, the property of private citizens, who, having offended against no law, can be subjected to no penalty or loss. The press in the United States, you must have seen, is perfectly free. Not to trouble you with any more remarks, I will close this letter with noting the manner in which the foreign diplomatic characters in the United States have been arranged in a like annual publication in Boston. In the ‘Massachusetts Register’ for 1796, they stand in this order: those from the French Republic, the United Netherlands, Portugal, Spain, Sweden, Prussia, and, last of all, those from Great Britain.

“ It is not necessary for me to express any opinion whether this arrangement is erroneous or correct, or whether among nations equal by their sovereignty and independence there can be any precedence, *as of right*; but I may presume that the government of the United States will not attempt, by any official arrangement, voluntarily to determine questions of rank among foreign powers, who will be no more inclined to

submit them to their consideration than to be governed by their decisions."

On the 27th of October, 1796, Adet made an official communication to the Secretary of State, particularly adapted to bring the United States government under the censure of the party arrayed against it in the domestic politics of the country, and, without waiting or giving a chance for a reply, immediately published it in the newspapers. This extraordinary proceeding was rebuked by Colonel Pickering in his answer, dated November 1st, 1796, which concludes with this paragraph:—

"I shall close this letter by one remark on the singularity of your causing the publication of your note. As it concerned the United States, it was properly addressed to its Government, to which alone pertained the right of communicating it, in such time and manner as it should think fit, to the citizens of the United States."

On the 15th of November, 1796, Adet communicated to the Secretary of State a letter of great length, which bears the evidence on its face of being the result of long and elaborate preparation, accompanied by voluminous documents. In the index to Lowrie and Clarke's "American State Papers," vol. 1, its contents are thus summed up:—

"Menaces, reproaches, complaints: allegations against the United States of duplicity, weakness, partiality, insensibility to the claims of justice and honor; with disregarding their neutral obligations; affording an asylum to British ships of war; declining liberal commercial overtures; violating treaty stipulations, and forming, in opposition to them,

a connection with Great Britain: declares that the vessels of the United States shall be exposed to plunder from French vessels of war and privateers; that his ministerial functions are suspended, though this suspension is not to be viewed as an immediate rupture."

Adet, having thus suspended his ministerial functions, Colonel Pickering, in a despatch to General Pinckney, American Minister in France, dated January 16th, 1797, reviewed carefully, in detail, and at length, the charges against the United States alleged by the French Minister. The document is one of the ablest and most important of American State Papers. In preparing it, the Secretary of State was in consultation with the President, to whom it was communicated, from time to time, as it was composed. Washington took a deep interest in it, and made useful and judicious suggestions. In one of his notes to Colonel Pickering he says, "Much depends upon it, as it relates to ourselves, and in the eyes of the world, whatever may be the effect, as it respects the governing power of France." On the 19th of January the President communicated it to Congress, in a special message, of which this is an extract:—

"The complaints of the French Minister embraced most of the transactions of our government in relation to France from an early period of the present war, which, therefore, it was necessary carefully to review. A collection has been formed of letters and papers relating to those transactions, which I now lay before you, with a letter to Mr. Pinckney, our Minister at Paris, containing an examination of the notes of the French Minister, and such information as I thought might be useful to Mr. Pinckney in any further representations he might find necessary to be made to the French government."

The publication of the letter to Mr. Pinckney, with the accompanying documents, produced a decided effect abroad, as well as in this country. Washington, writing to Colonel Pickering on the 29th of August, 1797, says: "From a variety of accounts, as well as from the extracts you had the kindness to send me, I have no doubt of a change in the sentiments of the people of France, favorable to the interests of this country;" and more particularly expresses the opinion, "that the statement of facts, in the printed letter to General Pinckney, will work conviction, and produce a change of conduct in those who are desirous of information, and not obstinately bent upon wrong measures, I have no doubt."

Rufus King, writing from London, April 29th, 1797, says: —

"I submit to you whether it would not be advantageous if you should send me ten or twelve copies of the State Papers from your office, which are, from time to time, published. A distribution of them among the foreign ministers here, and others, would, in my opinion, contribute much to the extension of correct opinions concerning our policy and national character. Your late letter to General Pinckney has been very serviceable in this light. It has been well received by every one, and obtained, as it deserved, the approbation and praise of sensible and impartial men."

In a letter to Paine Wingate, of April 12th, 1797, Colonel Pickering says: —

"I lately had the pleasure to receive your letter of March 10th, and am glad that my letter to General Pinckney met your approbation. I have, so far as informed from different quarters, had the satisfaction to learn that it has been well received by men of discernment, the friends of their country.

The nature of the investigation rendered the task laborious for *me*. One inducement, urged by the late President to me, to accept my present office, was the near prospect of peace, and consequent facility in executing it; but our public embarrassments have not diminished, and I wish an abler man in my place, and myself in one more easy to fill. However, I shall struggle to get through."

The following are extracts from letters of Colonel Pickering's correspondents, relating to this despatch to General Pinckney:—

FROM ALEXANDER HAMILTON.

"I duly received your letter of the 23d of January, with its enclosure, for which I am much obliged to you. I have read it with great pleasure. It is a substantial, satisfactory paper, will do good in this country; and, as to France, I presume events will govern there."

FROM JOHN JAY.

"Accept my thanks for your obliging favor of the 22d inst., enclosing a copy of your interesting letter to Mr. Pinckney, which is read here with great avidity and satisfaction. It enables our citizens to form a correct judgment of the conduct, claims, and complaints of France relative to this country, and to appreciate the wisdom, abilities, and virtue with which our government is administered. Adet's indiscreet note afforded a fair opportunity for these explanations; and, had he foreseen the use you have made of it, he would doubtless have been more circumspect."

FROM CALEB STRONG.

"I thank you heartily for your letter of the 24th of January, and the enclosed papers.

"I have been impatient, since Mr. Adet's publications appeared, to see an official answer in detail, which should draw the public attention; for, although on a careful exami-

nation of his complaints, a discerning person would be led to suppose that, like a froward child, he had made an outcry as for a fatal mischief, when the injury was only a little scratch, yet the great body of the people have no leisure to analyze such artful representations, and are apt to imagine the wound is great, in proportion to the loudness of the clamor. It was, therefore, necessary that the government should make some animadversions, both upon his remonstrance and his conduct; and, whether your letter has any effect in France or not, I am confident it will make a deep and durable impression on the people of this country. The letter to Mr. Pinckney will be published in our papers immediately, and I presume in many others in New England.

“I wish you pleasure and success in the discharge of all your public duties.”

FROM FISHER AMES.

“I find everywhere deposits of facts and opinions are culled from your reply to Adet [letter to Mr. Pinckney]. Many are disinfected who were given over as incurable.”

FROM GEORGE CABOT.

“I can hardly thank you sufficiently for the excellent treat you have sent me, under a cover dated 24th of January. I had just dined at Mr. Higginson’s when the packet was brought me, but, although it was a snow-storm and I was obliged to come home, we nevertheless read over the document before we parted. You would certainly have been gratified could you have witnessed the strong emotions of approbation which were continually excited, and you would have laughed, in concert with us, at *many of our recognitions of the old ‘Lover of Truth.’*”

“I have perused the piece to-day with as much attention as the time would allow, and I am fully satisfied it must do infinite service to our country. If, however, it should provoke some snarling and barking among the factious curs, I shall not wonder; but I trust you will not be disturbed by their noise.”

FROM THE REVEREND DR. JOHN CLARKE.

“ HONORED SIR,

“I thank you for your political communication, which I read immediately, and with great pleasure. What astonishes me is that you could execute so large a work in so little time, and with so much correctness. I hope it will do good, and that all your professional labors will be a blessing to your country.”

In replying to Dr. Clarke, Colonel Pickering said:—

“Instead of being astonished that I should write so long a letter as that to Mr. Pinckney in *so short a time*, the Jacobins here have attempted to bring upon me a reproach that I was so long in bringing it forth; and then they were so obliging as to publish, repeatedly, that Colonel Hamilton had written it for me. When it was printed I sent a copy to him, and another to Governor Jay, and was happy to find, by their answers, that they approved of it. The like testimonies I have received from various other quarters, and I am happy in the reflection that an occasion was presented to me of doing a great public good. But, in truth, I considered it myself as a work *not promptly* executed, ascribing the length of time occupied about it to the slowness of my conceptions and defective knowledge, which obliged me to tedious research and laborious application. I was indeed wearied with the task, for I was under the necessity of performing a great deal of current business at the same time, and I was thereby prevented from commencing an investigation of the subject until about the time that Congress met; that is, three weeks after the receipt of Mr. Adet’s note.”

The import of the letter to Mr. Pinckney which produced this great impression is summed up in the concluding paragraphs, thus:—

“From the foregoing statement, we trust, it will appear that there has been no attempt, in the government of the United States, to violate our treaty or weaken our engagements with France; whatever resistance it has opposed to the

measures of her agents, the maintenance of the laws and sovereignty of the United States, and their neutral obligations, have rendered indispensable: that it has never acquiesced in any acts violating our rights or interfering with the advantages stipulated to France, but, on the contrary, has opposed them by all the means in its power: that it has withheld no succors from France that were compatible with the duties of neutrality to grant: that, as well by their independent political rights, as by the express provisions of the commercial treaty with France, the United States were at full liberty to enter into commercial treaties with any other nation, and consequently with Great Britain: that no facts manifesting a partiality to that country have been, and I add, that none such can be, produced.

“Of the propriety and justness of these conclusions you will endeavor to satisfy the French government; and, conscious of the rectitude of our own proceedings during the whole course of the present war, we cannot but entertain the most sanguine expectations that they will be satisfied. We even hope that this has been already accomplished, and that you will be saved from the pain of renewing a discussion which the government has entered upon with regret. Your mission and instructions prove its solicitude to have prevented this necessity, and the sincerity of its present hopes that your endeavors, agreeably to those instructions, ‘to remove jealousies and obviate complaints by showing that they are groundless; to restore confidence, so unfortunately and injuriously impaired; to explain the relative interests of both countries, and the real sentiments of your own,’—have been attended with success. And, as a consequence thereof, we rely on the repeal of the decrees and orders which expose our commerce to indefinite injuries, which militate with the obligations of treaties and our rights as a neutral nation.”

Chief Justice Marshall, in his “Life of Washington,” published some years afterwards, speaks thus of the letter to General Pinckney:—

“It presented a minute and comprehensive detail of all the

points of controversy which had arisen between the two nations, and defended the measures which had been adopted in America, with a clearness and a strength of argument believed to be irresistible. To place the subject in a point of view admitting of no possible misunderstanding, the Secretary of State had annexed to his own full and demonstrative reasoning, documents establishing the real fact, in each particular case, and the correspondence relating to it."

CHAPTER X.

John Adams inaugurated President of the United States.— Colonel Pickering continued as Secretary of State.— Official Intercourse with foreign Nations.— Correspondence relating to Questions with France.— Proceedings of the Spanish Minister.— His Prosecution of William Cobbett.— His Complaints against the Government; and Colonel Pickering's Refutation of them.

1797, 1798.

JOHN ADAMS became President of the United States on the 4th of March, 1797. He adopted the cabinet of his predecessor, and announced in his inaugural address that it should be his strenuous endeavor to continue the foreign policy of the outgoing administration. He avowed “an inflexible determination to maintain peace and inviolable faith with all nations, and that system of neutrality and impartiality among the belligerent powers of Europe which has been adopted by the government, and so solemnly sanctioned by both houses of Congress, and applauded by the legislatures of the States and the public opinion, until it shall be otherwise ordained by Congress;” expressed “a personal esteem for the French nation, formed in a residence of seven years chiefly among them, and a sincere desire to preserve the friendship which has been so much for the honor and interest of both nations;” and promised that, “while the conscious honor and integrity of the people of America, and the internal sentiment of their own power and energies must be preserved, an earnest endeavor to investigate every just cause, and remove every colorable pretence of com-

plaint." He declared "an intention to pursue, by amicable negotiation, a reparation for the injuries that have been committed on the commerce of our fellow-citizens, by whatever nation, and, if success cannot be obtained, to lay the facts before the legislature, that they may consider what further measures the honor and interest of the government and its constituents demand;" "a resolution to do justice at all times, and to all nations, and maintain peace, friendship, and benevolence with all the world;" and "an unshaken confidence in the honor, spirit, and resources of the American people."

On the 25th of March, 1797, the President issued a proclamation, summoning a special session of Congress on the 15th day of May.

On the 15th of April he wrote to Colonel Pickering this note: —

"PHILADELPHIA.

" The President of the United States requests the Secretary of State to commit to writing, in detail, and report to the President, as early as may be convenient, such particulars as the Secretary may think necessary or expedient, to be inserted in the President's speech, at the opening of the ensuing Congress, under the heads, —

" 1. Of such things as ought to be communicated to Congress, concerning the state of the Union.

" 2. Of such measures as ought to be recommended to Congress for their adoption.

" And the President's desire is that the Secretary would not confine himself to matters merely within the department of state, but give himself a liberal latitude, both in relation to the other departments, and to the illustrations and reasonings in support of his opinions.

" The President also requests the Secretary to report to him his opinion of the articles which ought to be inserted in the instructions of an Ambassador, Envoy Ordinary or Extraordinary, or Minister Plenipotentiary, to be sent to France,

upon supposition it should be deemed consistent with the dignity, honor, and interest of the United States to send another mission to that power.

“ JOHN ADAMS.”

On the 1st of May Colonel Pickering returned an answer to this request, in an elaborate document of twenty-five pages, covering the whole ground, in compliance with the President’s application, going into greater detail than could be presented in a speech or message, and giving his views fully and frankly on all points. It is a paper of great ability and value, of which the appreciation by the President was shown in the large degree in which he drew from it the sentiments, statements, and diction of his speech delivered to Congress on the 16th of May. The following extracts from that speech show how Mr. Adams regarded the conduct of the French Directory towards General Pinckney, whom Washington had sent to France in place of Mr. Monroe, and describe the state of things then existing between that republic and the United States. After describing the purposes of General Pinckney’s mission, he says: —

“ A Minister thus especially commissioned, it was expected, would have proved the instrument of restoring mutual confidence between the two republics. The first step of the French government corresponded with that expectation.

“ A few days before his arrival at Paris, the French Minister of Foreign Relations informed the American Minister, then resident at Paris, of the formalities to be observed by himself in taking leave, and by his successor preparatory to his reception. These formalities they observed; and, on the 9th of December, presented officially to the Minister of Foreign Relations,—the one a copy of his letters of recall; the other, a copy of his letters of credence. These were laid before the executive Directory. Two days afterwards the Minister of Foreign Relations informed the recalled American Minister,

that the executive Directory had determined not to receive another Minister Plenipotentiary from the United States until after the redress of grievances demanded of the American government, and which the French republic had a right to expect from it. The American Minister immediately endeavored to ascertain whether, by refusing to receive him, it was intended that he should retire from the territories of the French republic; and verbal answers were given that such was the intention of the Directory. For his own justification he desired a written answer, but obtained none until towards the last of January; when, receiving notice in writing to quit the territories of the republic, he proceeded to Amsterdam, where he proposed to wait for instructions from his government. During his residence at Paris cards of hospitality were refused him, and he was threatened with being subjected to the jurisdiction of the Minister of Police; but, with becoming firmness he insisted on the protection of the law of nations, due to him as the known Minister of a foreign power. You will derive further information from his despatches, which will be laid before you.

“ As it is often necessary that nations should treat for the mutual advantage of their affairs, and especially to accommodate and terminate differences, and as they can treat only by Ministers, the right of embassy is well known and established by the law and usages of nations. The refusal on the part of France to receive our Minister is then the denial of a right; but the refusal to receive him, until we have acceded to their demands without discussion, and without investigation, is to treat us neither as allies, nor as friends, nor as a sovereign state.

“ With this conduct of the French government, it will be proper to take into view the public audience given to the late Minister of the United States on his taking leave of the executive Directory. The speech of the President discloses sentiments more alarming than the refusal of a Minister, because more dangerous to our independence and union, and, at the same time, studiously marked with indignities towards the government of the United States. It evinces a disposition to separate the people of the United States from the

government; to persuade them that they have different affections, principles, and interests, from those of their fellow-citizens whom they themselves have chosen to manage their common concerns; and thus to produce divisions fatal to our peace. Such attempts ought to be repelled with a decision which shall convince France and the world that we are not a degraded people, humiliated under a colonial spirit of fear and sense of inferiority, fitted to be the miserable instruments of foreign influence, and regardless of national honor, character, and interest.

“I should have been happy to have thrown a veil over these transactions, if it had been possible to conceal them; but they have passed on the great theatre of the world, in the face of all Europe and America, and with such circumstances of publicity and solemnity that they cannot be disguised, and will not soon be forgotten. They have inflicted a wound in the American breast. It is my sincere desire, however, that it may be healed. It is my desire, and in this I presume I concur with you and with our constituents, to preserve peace and friendship with all nations; and believing that neither the honor nor the interest of the United States absolutely forbids the repetition of advances for securing these desirable objects with France, I shall institute a fresh attempt at negotiation, and shall not fail to promote and accelerate an accommodation on terms compatible with the rights, duties, interests, and honor of the nation.”

“While we are endeavoring to adjust all our differences with France by amicable negotiation, the progress of the war in Europe, the depredations on our commerce, the personal injuries to our citizens, and the general complexion of affairs, render it my indispensable duty to recommend to your consideration effectual measures of defence.”

“It is very true that we ought not to involve ourselves in the political system of Europe, but to keep ourselves always distinct and separate from it.”

“It is necessary, in order to the discovery of the efforts made to draw us into the vortex, in season to make preparations against them. However we may consider ourselves, the maritime and commercial powers of the world will consider

the United States of America as forming a weight in the balance of power in Europe which never can be forgotten or neglected. It would not only be against our interest, but it would be doing wrong to one half of Europe at least, if we should voluntarily throw ourselves into either scale."

Colonel Pickering immediately wrote to John Quincy Adams as follows:—

“ DEAR SIR,

“ The enclosed interesting speech was, this day, delivered by the President of the United States to Congress, convened in an extraordinary session.

“ I trust the firm sentiments it expresses will excite, or meet, a corresponding vibration in the sentiments of the great body of the people of the United States.

“ This session will be highly interesting ; and I will endeavor to give you early intelligence of every important transaction. I have received your letters up to No. 94.”

On the 31st of May, President Adams sent the following message to the Senate:—

“ GENTLEMEN OF THE SENATE,

“ I nominate General Charles Cotesworth Pinckney, of South Carolina, Francis Dana, Chief-Justice of the State of Massachusetts, and General John Marshall, of Virginia, to be, jointly and severally, Envoys Extraordinary and Ministers Plenipotentiary to the French republic.

“ After mature deliberation on the critical situation of our relations with France, which have long engaged my serious attention, I have determined on these nominations of persons to negotiate with the French republic, to dissipate umbrages, to remove prejudices, to rectify errors, and adjust all differences, by a treaty between the two powers.

“ It is, in the present critical and singular circumstances, of great importance to engage the confidence of the great portions of the Union, in the characters employed, and the measures which may be adopted. I have, therefore, thought it expedient to nominate persons of talent and integrity, long

known and entrusted in the three great divisions of the Union ; and, at the same time, to provide against the cases of death, absence, indisposition, or other impediment, to invest any one or more of them with full powers.”

On the 6th of June, Colonel Pickering wrote to Judge Dana, as follows : —

“ Yesterday the Senate declared their advice and consent to the appointment of ‘ General Charles Cotesworth Pinckney, of South Carolina, Francis Dana, Chief-Justice of the State of Massachusetts, and General John Marshall, of Virginia, to be jointly and severally Envoys Extraordinary and Ministers Plenipotentiary to the French republic ; ’ and, by the President’s direction, I have the honor to enclose to you their commissions.

“ Your knowledge of the state of the political affairs of the United States, especially in relation to France, renders any explanation of the cause and object of this extraordinary commission unnecessary. I need only remark that the vast importance of the proposed negotiation demonstrates the sense entertained by the President and Senate of the talents, integrity, and patriotism of the gentlemen appointed, and of the high confidence reposed in them by their fellow-citizens ; whence they will respectively estimate the extreme disappointment that will be felt, and the great disadvantages which will be justly apprehended, if any possible circumstances should prevent their accepting the very honorable and interesting office.”

Judge Dana declining the mission, Elbridge Gerry, of Massachusetts, was appointed in his place.

The instructions to these Envoys, dated July 15th, 1797, with the accompanying documents, constitute one of Colonel Pickering’s celebrated State Papers. At the next session of Congress, on the 3d of April, 1798, President Adams, in a special message, said : —

“ In compliance with the request of the House of Representatives, expressed in their resolution of the second of this

month, I transmit to both houses those *instructions* to and *despatches* from the Envoys Extraordinary of the United States to the French republic, which were mentioned in my message of the 19th of March last."

Colonel Pickering summed up his instructions to the Envoys thus: —

"The following leading principles, to govern the negotiation, are subjoined: —

"1. Conscious integrity authorizes the government to insist that no blame or censure be, directly or indirectly, imputed to the United States. But, on the other hand, however exceptionable in the view of our own government, and in the eyes of an impartial world, may have been the conduct of France, yet, she may be unwilling to acknowledge any aggressions; and we do not wish to wound her feelings or to excite resentment. It will, therefore, be best to adopt, on this point, the principle of the British treaty, and 'terminate our differences, in such manner as, without referring to the merits of our respective complaints and pretensions, may be the best calculated to produce mutual satisfaction and good understanding.'

"2. That no aid be stipulated in favor of France during the present war.

"3. That no engagement be made inconsistent with the obligations of any prior treaty.

"4. That no restraint on our lawful commerce with any other nation be admitted.

"5. That no stipulation be made, under color of which tribunals can be established within our jurisdiction, or personal privileges claimed by French citizens incompatible with the complete sovereignty and independence of the United States, in matters of policy, commerce, and government."

"Finally, the great object of the government being to do justice to France and her citizens, if in any thing we have injured them; to obtain justice for the multiplied injuries they have committed against us; and to preserve peace, — your style and manner of proceeding will be such as shall most directly

tend to secure these objects. There may be such a change of men and measures in France as will authorize, perhaps render politic, the use of strong language in describing the treatment we have received. On the other hand, the French government may be determined to frustrate the negotiation, and throw the odium on this country ; in which case, any thing like warmth and harshness would be made the pretext. If things remain in their present situation, the style of representation will unite as much as possible calm dignity with simplicity, force of sentiment with mildness of language, and be calculated to impress an idea of inflexible perseverance, rather than of distrust or confidence."

The Envoys arrived at Paris, October 4th, 1797, and, the next day, requested the Minister of Foreign Affairs to inform them when he would be ready to receive them. No reception was accorded them. A series of unofficial interviews and conferences with persons who represented themselves as speaking for the government took place,* the result of which was, that they were given to understand that, in order to be suffered to remain at all in France, the sum of fifty thousand pounds sterling must be paid by them as a gift for the personal and private use of the chief officers of the Directory. Upon the payment of that sum, they would be privileged to hear, and required to comply with, the other absolute demands of France,—namely, an apology for the language used in a message of the President of the United States to the two houses of the American Congress, and a loan of thirty-two millions of florins by the United States to the French republic. After all these conditions should have been complied with, but never before, would the Envoys be received, and negotiations entered upon.

* Their names are not given in the despatches and accompanying papers ; but they are designated by the letters X, Y, and Z.

In the course of these communications, the most extraordinary language was used by the French agents. They declared that it was the determination of France to treat all as public enemies who would not unite with her in her European war; and they distinctly avowed that the government of the French republic desired not to deal with the supporters of the administration of the United States, saying that, if Colonel Burr or Mr. Madison had been sent over, they would have met with a different reception; and, regarding Mr. Gerry as belonging to the party in America opposed to the Federal administration, they treated him with an attention and civility in striking contrast with their bearing towards General Pinckney and John Marshall.

The American Envoys, of course, gave no countenance to these extraordinary propositions, but informed their government of them fully from time to time.

On the 19th of March, 1798, President Adams, in a special message to Congress, said: —

“ The despatches from the Envoys Extraordinary of the United States to the French republic, which were mentioned in my message to both houses of Congress, of the fifth instant, have been examined and maturely considered.”

“ While I feel a satisfaction in informing you that their exertions for the adjustment of the differences between the two nations have been sincere and unremitting, it is incumbent on me to declare that I perceive no ground of expectation that the objects of their mission can be accomplished on terms compatible with the safety, the honor, or the essential interests of the nation.

“ This result cannot, with justice, be attributed to any want of moderation on the part of this government, or to any indisposition to forego secondary interests for the preservation of peace. Knowing it to be my duty, and believing it to be

your wish, as well as that of the great body of the people, to avoid, by all reasonable concessions, any participation in the contentions of Europe, the powers vested in our Envoys were commensurate with a liberal and pacific policy, and that high confidence which might justly be reposed in the abilities, patriotism, and integrity of the characters to whom the negotiation was committed. After a careful review of the whole subject, with the aid of all the information I have received, I can discern nothing which could have insured or contributed to success that has been omitted on my part, and nothing further which can be attempted consistently with maxims for which our country has contended at every hazard, and which constitute the basis of our national sovereignty.

“ Under these circumstances, I cannot forbear to reiterate the recommendations which have been formerly made, and to exhort you to adopt, with promptitude, decision, and unanimity, such measures as the ample resources of the country afford, for the protection of our seafaring and commercial citizens; for the defence of any exposed portions of our territory; for replenishing our arsenals, establishing foundries and military manufactures; and to provide such efficient revenue as will be necessary to defray extraordinary expenses, and supply the deficiencies which may be occasioned by depredations on our commerce.

“ In all your proceedings, it will be important to manifest a zeal, a vigor, and concert in defence of the national rights, proportioned to the danger with which they are threatened.”

On the 23d of March, 1798, Colonel Pickering instructed the Envoys, as follows: —

“ We trust that, soon after the date of your number five, you closed your mission by demanding passports to leave the territories of the French republic.

“ An official copy of your letters of credence having been delivered to the Minister for Foreign Affairs, and by him laid before the Directory, they were sufficiently informed of the great objects of your mission; and, considering that you were an extraordinary delegation from an independent nation, you

had a right to expect a prompt and respectful reception. The fair and honorable views of the American government, which dictated your appointment and your powers, entitled you to expect the early appointment of a commission by the French government, with equal powers, to negotiate on all the matters in controversy between them. Had the French government been influenced by similar views, the objects of your mission would long since have been accomplished, to the advantage and peace of both nations. But, instead of coming forward on such equal and proper ground, they have treated you and, through you, your country, with extreme neglect.

“ Under these circumstances, the President presumes that you have long since quitted Paris and the French dominions ; yet, actuated as you were, with an ardent desire to preserve peace, which you knew would be so grateful to your country ; and having, for this object, manifested unexampled patience, and submitted to a series of mortifications ; as you also proposed to make one more direct attempt, subsequent to the date of your last letter, to draw the French government to an open negotiation, — there is a bare possibility that this last effort may have succeeded. The President, therefore, thinks it proper to direct : —

“ 1. That if you are in treaty with persons duly authorized by the directory on the subjects of your mission, then you are to remain and expedite the completion of the treaty, if it should not have been concluded. Before this letter gets to hand you will have ascertained whether the negotiation is, or is not, conducted with candor on the part of the French government ; and, if you shall have discovered a clear design to procrastinate, you are to break off the negotiation, demand your passports and return. For you will consider that *suspense* is ruinous to the essential interests of your country.

“ 2. That if, on the receipt of this letter, you shall not have been received or, whether received or not, if you shall not be in treaty with persons duly authorized by the Directory, with full and equal powers, you are to demand your passports and return.

“ 3. In no event is a treaty to be purchased with money, by loan or otherwise. There can be no safety in a treaty so

obtained. A loan to the republic would violate our neutrality; and a *douceur* to the men now in power might, by their successors, be urged as a reason for annulling the treaty, or as a precedent for further and repeated demands."

The person professing to speak for Talleyrand, the Minister of Foreign Relations, in one of his conversations with the American Envoys, used this language:—

"Perhaps you believe that, in returning and exposing to your countrymen the unreasonableness of the demands of this government, you will unite them in their resistance to those demands: you are mistaken; you ought to know that the diplomatic skill of France, and the means she possesses in your country, are sufficient to enable her, with the French party in America, to throw the blame which will attend the rupture of the negotiations on the Federalists, as you term yourselves, but on the British party, as France terms you; and you may assure yourselves this will be done."

To this the Envoys replied:—

"That France miscalculated on the parties in America; that the extreme injustice offered to our country would unite every man against her."

The Envoys, being satisfied that "the demands of France rendered it entirely impracticable to effect the objects" of their mission, concluded to demand their passports; but, before doing so, thought it to be their duty to request, in a letter to Talleyrand, an interview with him, which accordingly took place on the 2d of March. This was the first and, so far as appears, the only occasion on which they met. The conference was informal and unofficial. No satisfaction to either side resulted from it. Talleyrand indorsed all that had been said by the persons who had communicated with the Envoys, and made the same demands as preliminary to a reception

of them. He stated that “the Directory had been extremely wounded by the last speech of General Washington, made to Congress when about to quit the office of President of the United States, and by the first and last speech of Mr. Adams; that explanations of these speeches were expected and required.”

On the 3d of April, Talleyrand addressed this note to Mr. Gerry:—

“I suppose, Sir, that Messrs. Pinckney and Marshall have thought it useful and proper, in consequence of the intimations given in the end of my note of the 28th Ventose last, and the obstacle which their known opinions have interposed to the desired reconciliation, to quit the territory of the republic. On this supposition I have the honor to point out to you the 5th or the 7th of this decade, to resume our reciprocal communications upon the interests of the French republic and the United States of America.”

Replying the next day, Mr. Gerry says that General Marshall was waiting for his passport, and a letter of safe-conduct for the vessel in which he might embark from France or Great Britain. “But,” he continues, “the unfortunate situation of General Pinckney, with respect to the critical state of his daughter’s health, renders it utterly impossible for him to depart under existing circumstances.” As for his “resuming reciprocal communications,” he says, “I can only confer informally and unaccredited on any subject respecting our mission, and communicate to the government of the United States the result of such conferences, being, in my individual capacity, unauthorized to give them an official stamp.”

He remained in Paris until the order of the Secretary of State of March 23d reached him.

On the 21st of June, 1798, President Adams sent this message to Congress:—

“ While I congratulate you on the arrival of General Marshall, one of our late Envoys Extraordinary to the French republic, at a place of safety, where he is justly held in honor, I think it my duty to communicate to you a letter received by him from Mr. Gerry, the only one of the three who has not received his *congé*; this letter, together with another from the Minister of Foreign Relations to him of the 3d of April, and his answer of the 4th, will show the situation in which he remains, his intentions and prospects.

“ I presume that before this time he has received fresh instructions (a copy of which accompanies this message) to consent to no loan, and therefore the negotiation may be considered at an end.

“ I will never send another Minister to France without assurances that he will be received, respected, and honored, as the representative of a great, free, powerful, and independent nation.”

The next day the House of Representatives ordered to be printed ten thousand copies of the instructions to the Envoys Extraordinary and Ministers Plenipotentiary of the United States to the French Republic, and of all the despatches received from them, “ to be distributed *gratis* throughout the United States, and particularly in such parts thereof wherein the dissemination of information through the medium of newspapers is most obstructed.”

Congress and the people responded to the noble spirit displayed by the President. Acts were passed to suspend commercial intercourse between the United States and France and the dependencies thereof, authorizing the defence of merchant vessels of the United States against French depredations, declaring the treaties with

France no longer obligatory on the United States, providing for an increase of the revenue, organizing and arming the militia, creating a navy department and a marine corps, instructing and requiring the commanders of armed vessels belonging to the United States to seize, take, and bring into port, as lawful prize, any French armed vessels which shall have committed, or which shall be found hovering on the coasts of the United States for the purpose of committing, depredations on the vessels belonging to citizens thereof. A provisional army was ordered to be raised, which was put under the command of George Washington, with Alexander Hamilton's great organizing and executive talents secured to the public service by his being placed second in command.

The laws of the fifth Congress enacted to meet the threatened emergency demonstrate a promptitude, energy, wisdom, and heroic resolution, never surpassed, and cannot be read without exhilarating and warming the soul of patriotism.

The people of the United States sustained the administration in its vigorous measures to vindicate the honor of the country against the insolence and aggressions of France. In a letter to John Quincy Adams, then American Minister at Berlin, dated July 14th, 1798, Colonel Pickering says:—

“A gentleman lately from Kentucky and Tennessee, and who passed through the back parts of Virginia, mentions to me the general change of sentiments among the people; from being enthusiasts in the cause of the French republic, her unprovoked and destructive hostilities against our commerce, her contemptuous rejection of our pacific overtures, her insolent and monstrous demand of tribute, and evident lust of

universal dominion, have rendered her the object of their resentment and abhorrence; and the determination at every hazard to defend our country against her measures of plunder and domination and possible invasion is rapidly extending, and soon will become universal.

“P. S. Yesterday the President revoked all the exequaturs of the French Consuls in the United States.”

The following is from a letter of Colonel Pickering, dated August 29th, to Rufus King:—

“Your account of the reception of the instructions to, and despatches from, our Envos to the French Republic is highly gratifying. It was anticipated that their publication would do much good in Europe as well as in America. Here they produced their natural and obvious effect on all unprejudiced and unperverted minds. But you are too well acquainted with public bodies to have expected, or rather to be surprised, if there was not a very material change in the conduct of one side of the house. The constituents, however, of many members are proving, and will prove, that their opinions and feelings have not been justly represented in Congress. This will nowhere, perhaps, be more visible than in North Carolina. The prevailing sentiments of the country are, undoubtedly, expressed correctly in the general spirit of the addresses to the President of the United States which you have seen, and will see, in the newspapers. The legislature of New York have met in an extraordinary session to provide for the defence of that State, and have agreed unanimously in both houses on an address to the President of the United States, expressing their approbation of his conduct, and their firm determination to defend the country against the French and every other hostile power.”

On the 28th of September, 1798, Colonel Pickering wrote, as follows, to Colonel James Hendricks, of Wilkes County, Georgia:—

“I have received your letter of the 30th ultimo. It gives me pleasure to see such an avowal of Federal sentiments.

Those who have railed most at the British treaty are men who, or whose connections, were indebted to British merchants, and wished to get rid of the treaty as a means of getting rid of their debts. But, although Britain is now the only barrier against the French exercising that despotism on the sea which they are cruelly practising on the land, there will probably be no necessity of our forming an alliance with her; yet, when open war takes place, we may co-operate advantageously against a common enemy. The unprincipled French rulers and their partisans in this country are often declaring that the President is devoted to the English, and desirous of forming a close connection between Great Britain and the United States. But this is a base calumny; nor do the villainous calumniators themselves believe it. It is the object of both, by slanders and lies, to render the President vile in the eyes of his countrymen, in order to destroy the force of his constitutional authority, to divide and enfeeble, that we may become an easier prey to French ambition and rapacity, in the fruits of which our own miscreants expect to share, as they are willing to ‘owe their greatness to their country’s ruin.’ Miserable wretches! They will not open their eyes, or if they see, their hearts are hardened, that they will not desist from promoting the views of France; although in every country which has fallen under her yoke, countries which her rulers boast of having made free, the traitors who have joined the French in overthrowing their own governments have been kept in favor no longer than suited the purposes of their French masters, who have then caused such men to be displaced, and often to be imprisoned. This has been the lot of the Dutch and Cisalpine *patriots*, and may such ever be the fate of traitors!

“No! If there is one man in America who, more than any other, would guard against British influence, or the influence of any nation, in the councils and measures of the United States, it is President Adams. But he is too wise, and loves his country too well, to let it sink beneath the iron tyranny of France, rather than save it by the aid of England, if such aid should be indispensable. But you will see, in his answers

to numerous addresses, his opinion that, if we are united and firm, we have nothing to fear from any power on earth."

General Washington, in a letter to Colonel Pickering, after acknowledging "with thankfulness" the reception of the instructions to the Envoys at Paris, and the despatches from them, says:—

"One would think that the measure of infamy was filled, and the profligacy of, and corruption in, the system pursued by the French Directory required no further disclosure of the principles by which it was actuated, than what is contained in the above despatches, to open the eyes of the blindest; and yet I am persuaded that these communications will produce no change in the *leaders* of the opposition, unless there should appear a manifest desertion of their followers. There is sufficient evidence already, in the 'Aurora,' of the turn they intend to give the business and of the ground they mean to occupy. But I do not believe they will be able to maintain *that* or *any other* much longer."

The effect of the publication in full of the instructions to the American Envoys, and of their despatches relating the transactions, conferences, and correspondence between them and the agents he employed, and Talleyrand himself personally but unofficially,— resulting in the insult committed upon the United States in refusing to receive them, and giving notice to two of them to depart from France and its territories,— upon the domestic parties of the United States was very decisive. It created an overwhelming enthusiasm in defence of the country and of its administration, while the vigorous and determined action of Congress brought the nation into development as a formidable naval and military power. The French Directory saw that it had gone too far. It had broken down, what it had fully relied upon, the influence of the

French party, as it called them, in America ; and started the United States on a line of action that threatened an armed and active co-operation of England and America, on the sea and throughout the world. It sought to arrest the mischief and the danger by indirect and indistinct intimations that it was desirous of reconciliation with the United States, and a renewal of negotiations.

President Adams, in his speech on the 8th of December, 1798, at the opening of the third session of the fifth Congress, said : —

“ The course of the transactions in relation to the United States and France, which have come to my knowledge during your recess, will be made the subject of a future communication. That communication will confirm the ultimate failure of the measures which have been taken by the government of the United States towards an amicable adjustment of differences with that power. You will, at the same time, perceive that the French government appears solicitous to impress the opinion that it is averse to the rupture with this country, and that it has, in a qualified manner, declared itself willing to receive a Minister from the United States, for the purpose of restoring a good understanding. It is unfortunate for professions of this kind that they should be expressed in terms which may countenance the inadmissible pretension of a right to prescribe the qualifications which a Minister of the United States should possess ; and that, while France is asserting the existence of a disposition on her part to conciliate, with sincerity, the differences which have arisen, the sincerity of a like disposition on the part of the United States, of which so many demonstrative proofs have been given, should even be indirectly questioned. It is also worthy of observation that the decree of the Directory, alleged to be intended to restrain the depredations of French cruisers on our commerce, has not given, and cannot give, any relief. It enjoins them to conform to all the laws of France relative to cruising and prizes,

while these laws are themselves the sources of the depredation of which we have so long, so justly, and so fruitlessly complained.

“ The law of France, enacted in January last, which subjects to capture and condemnation neutral vessels and their cargoes, if any portion of the latter are of British fabric or produce, although the entire property belongs to neutrals, instead of being rescinded, has lately received a confirmation by the failure of a proposition for its repeal. While this law, which is an unequivocal act of war on the commerce of the nations it attacks, continues in force, those nations can see in the French Government only a power regardless of their essential rights, of their independence and sovereignty ; and, if they possess the means, they can reconcile nothing with their interests and honor but a firm resistance.

“ Hitherto, therefore, nothing is discoverable in the conduct of France which ought to change or relax our measures of defence. On the contrary, to extend and invigorate them is our true policy. We have no reason to regret that those measures have been thus far adopted and pursued ; and, in proportion as we enlarge our view of the portentous and incalculable situation of Europe, we shall discover new and cogent motives for the full development of our energies and resources.

“ But, in demonstrating by our conduct that we do not fear war in the necessary protection of our rights and honor, we shall give no room to infer that we abandon the desire of peace. An efficient preparation for war can alone insure peace. It is peace that we have uniformly and perseveringly cultivated, and harmony between us and France may be restored at her option. But, to send another Minister without more determinate assurances that he would be received, would be an act of humiliation to which the United States ought not to submit. It must, therefore, be left to France, if she is indeed desirous of accommodation, to take the requisite steps. The United States will steadily observe the maxims by which they have hitherto been governed. They will respect the sacred rights of embassy ; and, with a sincere disposition on the part of France to desist from hostility, to make

reparation for the injuries heretofore inflicted on our commerce, and to do justice in future, there will be no obstacle to the restoration of a friendly intercourse. In making to you this declaration, I give a pledge to France, and to the world, that the executive authority of this country still adheres to the humane and pacific policy which has invariably governed its proceedings, in conformity with the wishes of the other branches of the government and of the people of the United States. But, considering the late manifestations of her policy towards foreign nations, I deem it a duty deliberately and solemnly to declare my opinion that, whether we negotiate with her or not, vigorous preparations for war will be alike indispensable. These alone will give to us an equal treaty, and ensure its observance."

On the 18th of January, 1799, President Adams sent the following message to Congress:—

"The communication relative to our affairs with France, alluded to in my address to both houses at the opening of the session, is contained in the sheets accompanying this. A report of the Secretary of State, containing some observations on them, will be sent to Congress on Monday."

On the 21st, the President communicated the report to Congress. It was prepared in conformity with his wishes, had been submitted to his revision, and was accredited, in the marked manner in which he laid it before Congress, with his authority. Being addressed to the President, and not to a foreign Minister or agent, it was written free from the restraints of diplomatic intercourse. It is a document of great force, ability, and spirit, and was welcomed and read with eager interest everywhere. The papers accompanying the President's message are elaborately and thoroughly discussed, and the transactions they reveal portrayed and weighed in all their bearings. After referring to an assertion of

Joel Barlow, "that the French government determined to fleece us," and adducing some facts to sustain it, the report closes as follows:—

"The French government, by always abstaining from making specific demands of damages; by refusing to receive our Ministers; by at length proposing to negotiate, in a mode which it knew to be impracticable, with the person who had no powers, and who, therefore, constantly refused to negotiate, and thus wholly avoiding a negotiation,—it has kept open the field for complaints of wrongs and injuries, in order, by leaving them undefined, to furnish pretences for unlimited depredations. In this way 'it determined to fleece us.' In this way it gratified its *avarice* and *revenge*, and it hoped also to satiate its *ambition*. After a long series of insults unresented, and a patient endurance of injuries, aggravated in their nature and unexampled in their extent, that government expected our final submission to its will. Our resistance has excited its surprise, and, as certainly, increased its resentment. With some soothing expressions is heard the voice of wounded pride. Warmly professing its desire of reconciliation, it gives no evidence of its sincerity; but proofs in abundance demonstrate that it is not sincere. From standing erect, and in that commanding attitude requiring implicit obedience, cowering it renounces some of its unfounded demands. But I hope we shall remember that 'the tiger crouches before he leaps upon his prey.' "

Upon receiving this document, Washington, on the 7th of February, wrote to Colonel Pickering as follows:—

"I am not surprised that some members of the House of Representatives should disrelish your report. It contains remarks and speaks truths which they are desirous should be unknown to the people. I wish the parts which were left out had been retained. The crisis, in my opinion, calls loudly for plain dealing, that the citizens at large may be well informed, and decide, with respect to public measures, upon a thorough

knowledge of facts. *Concealment* is a species of misinformation; and misrepresentation and false alarms formed the groundwork of opposition, the plan of which is to keep the people as much as possible in ignorance and terror, for it is believed by themselves that a perfect understanding of our *real* situation, in regard to our foreign relations, would be a death-blow to their consequence and struggles, and for that reason have always something on foot to disquiet the public mind.

“ The session of Congress is drawing fast to a close. What traits it will leave behind, of strong and energetic measures, remains to be seen,— such, I hope, as will show that we are ready at all times to negotiate upon fair and honorable terms, but never to be bullied or duped into them.”

As the “ report” was communicated to Congress by the President, as made to him by the Secretary of State, and adopted by him as a substitute for any remarks to be made by himself in his message, he had a perfect right to have it in a form to suit him, and certain passages were therefore omitted. But, as General Washington expressed regret that any part of it had been left out, Colonel Pickering transmitted to him the omitted portions. Upon receiving the letter containing and commenting on them, Washington thanked him for the “ very pleasing information,” and said: —

“ Although you did not give your letter the stamp of *privacy*, I did not think myself at liberty to mention the purport of it to some good Federal characters, who were dining with me at the time I received it, and who would have thought it the best dessert I could have offered.

“ Henceforward I will consider your letters to me in three distinct points of view; and I mention it *now* that I may commit no error hereafter.

“ First, such communications as you may conceive it proper to make to me *alone*, and mark *confidential*, shall go no farther. Those marked *private* I may, occasionally, impart

their contents to well-disposed characters. And those without either will leave me unrestrained."

In reply, Colonel Pickering said: —

" My letter of the 8th contained nothing that need be concealed from your friends. Except when I mark a letter *confidential*, you will be pleased to make such use of it as you think proper. The subject of the present one is not an exception as to your discreet friends."

John Marshall wrote thus, February 19th: —

" An occasional absence from Richmond has suspended for some time my acknowledgment of the receipt of your very correct analysis of, and able commentary on, the late negotiations with France. I wish it could be read more generally than I fear it will be."

John Jay, in a letter of February 25th, says: —

" The report, in my opinion, is ably composed; but, in some instances, there are expressions which appear to me rather too caustic for a State Paper. The reasoning is strong and will be useful."

Fisher Ames, in a letter of February 6th, introducing to Colonel Pickering his " neighbor and esteemed friend," Mr. Edward Dowse, says: —

" He loves his own country as he ought, and he respects and admires, as our country does, the firmness and talents of those in office, who have done *so much* to elevate, and, I trust in God, *enough* to save it."

George Cabot, writing February 14th, says: —

" Your favor of the 4th was handed me last evening, and, although the pamphlets did not accompany it, yet this was the less to be regretted, because I have read over again and again and again the excellent report of the Secretary of State on French affairs, which you were so kind as to enclose to me on the day of its publication.

" I had suspected that the 'Lover of Truth' would be

restrained from telling all he knew, and from exciting *all* our just sentiments by freely expressing his own. I think, however, his task has been well performed, and that he has effectually dispelled the fogs which chilled the *upper* part of our atmosphere. How are we to understand the practicability of a safe specific system of intercourse with those whose object is universal domination, and whose means are *fraud* and *perfidy* as well as force? I think you ought to have nerves of *iron*, and I believe you have, or you would be wearied to death with the labors and perplexities of your office, which are created by domestic caprice, as well as foreign intrigue and injustice. Mr. Higginson, Judge Dana, and I were lately conversing on these topics, and we agreed that you must be fortified against every event, and by all means be induced to persevere, as well to perfect your own fame as to save the country."

The Rev. Dr. Jedediah Morse, of Charlestown, Massachusetts, writes thus: —

"I received your esteemed favor, with the acceptable enclosures. These have been circulated where I think they will do good. As many more, I believe, may be distributed to advantage. Allow me, Sir, to express to you the high obligations I feel myself under to you for this able, luminous, and very seasonable State Paper. I view it as a *necessary*, and I hope it will prove an *effectual*, antidote to the poison contained in the documents which it accompanies. So far as my information extends, it meets with high approbation, except from the Jacobins, whose only objection to it that I have yet heard, is that made by Mr. Macon, in the debate on the question of printing it.

"Such has been the wisdom, integrity, and firmness of the present administration of government, that it certainly merits the confidence and active vigorous support of the people. The task of our rulers has, for six years past, been peculiarly arduous, and they have the usual reward of faithful servants, — the gratitude of the good and the curses of the wicked."

On the 28th of January, 1799, the President sent this message to Congress: —

“ An edict of the executive Directory of the French republic, of the 29th of October, 1798, enclosed in a letter from our Minister Plenipotentiary in London, of the 16th of November, is of so much importance that it cannot be too soon communicated to you and to the public.”

Mr. King wrote as follows :—

“ The annexed arret would appear extravagant and incredible if it proceeded from any other authority ; but mankind is so accustomed to the violence and injustice of France, that we almost cease to express our surprise and indignation at the new instances that she continues to display.”

The arret was as follows :—

“ Every individual, native of friendly countries, allied to the French republic, or neutral, bearing a commission granted by the enemies of France, or making part of the crews of ships of war and others, enemies, shall be by this single fact declared a pirate and treated as such, without being permitted, in any case, to allege that he had been forced into such service by violence, threats, or otherwise.”

Mr. King, on the 28th of November, informed his government that “ a late French paper contains a second arret, which postpones the execution of the first.”

On the 15th of February, President Adams sent this message to Congress :—

“ In pursuance of a request in your resolve of yesterday, I lay before you such information as I have received, touching a suspension of the arret of the French republic, communicated to your house by my message of the 28th of January last. But, if the execution of that arret be suspended, or even if it were repealed, it should be remembered that the arret of the executive Directory, of the 2d of March, 1797, remains in force ; the third article of which subjects, explicitly and exclusively, American seamen to be treated as pirates if found on board ships of the enemies of France.”

On the 18th of February the President sent a message to the Senate, in these words : —

“ I transmit to you a document, which seems intended to be a compliance with a condition mentioned at the conclusion of my message to Congress of the 21st of June last.

“ Always disposed and ready to embrace every plausible appearance of probability of preserving or restoring tranquillity, I nominate William Vans Murray, our Minister Resident at the Hague, to be Minister Plenipotentiary of the United States to the French republic.

“ If the Senate shall advise and consent to his appointment, effectual care shall be taken, in his instructions, that he shall not go to France without direct and unequivocal assurances from the French government, signified by their Minister of Foreign Relations, that he shall be received in character; shall enjoy the privileges attached to his character by the law of nations; and that a Minister of equal rank, title, and powers shall be appointed to treat with him, to discuss and conclude all controversies between the two republics by a new treaty.”

The “document” upon the strength of which this nomination was made, and communicated to the Senate, was a letter from Talleyrand, “ Minister of Exterior Relations,” to “ Citizen Pichou, Secretary of Legation of the French Republic, near the Batavian Republic,” to be by him laid before Mr. Murray, the American Minister at the Hague. It contains assurances of the “sincerity” of the French government in desiring to renew negotiations with the United States, in conformity with sentiments Talleyrand had expressed in his correspondence with Mr. Gerry, after the two colleagues of the latter had been notified to quit the territories of France.

A week after the nomination of Mr. Murray, the

President sent another message to the Senate in these words : —

“ The proposition of a fresh negotiation with France, in consequence of advances made by the French government, has excited so general an attention, and so much conversation, as to have given occasion to many manifestations of the public opinion, from which it appears to me that a new modification of the embassy will give more general satisfaction to the legislature and to the nation, and perhaps better answer the purposes we have in view.

“ It is upon this supposition, and with this expectation, that I now nominate Oliver Ellsworth, Esq., Chief Justice of the United States, Patrick Henry, Esq., late Governor of Virginia, and William Vans Murray, Esq., our Minister Resident at the Hague, to be Envoys Extraordinary and Ministers Plenipotentiary to the French Republic, with full powers to discuss and settle, by a treaty, all controversies between the United States and France.

“ It is not intended that the two former of these gentlemen should embark for Europe until they shall have received from the executive Directory assurances, signified by their Secretary of Foreign Relations, that they shall be received in character; that they shall enjoy all the prerogatives attached to that character by the law of nations; and that a Minister or Ministers of equal powers shall be appointed and commissioned to treat with them.”

Patrick Henry, declining the mission in a letter to the Secretary of State, on account of “ advanced age and increasing debility,” said : —

“ I cannot, however, forbear expressing, on this occasion, the high sense I entertain of the honor done me by the President and Senate in the appointment; and I beg of you, Sir, to present me to them in terms of the most dutiful regard, assuring them that this mark of their confidence in me, at a crisis so eventful, is a very agreeable and flattering proof of their consideration towards me, and that nothing short of absolute necessity could induce me to withhold my little aid

from an administration whose abilities, patriotism, and virtue deserve the gratitude and reverence of all their fellow citizens."

William R. Davie, Governor of North Carolina, was appointed in his place.

Colonel Pickering's instructions to the Envoys were dated October 22d, 1799. The introductory paragraphs are as follows:—

“ GENTLEMEN,

“ You have been witnesses of the enduring patience of the United States, under the unexampled aggressions, depredations, and hostilities authorized and sanctioned by the French republic, against the commerce and citizens of the United States; and you are well informed of the measures adopted by our government to put a stop to these evils, to obtain redress for the injured, and real peace and security to our country. And you know that, instead of relief, instead of justice, instead of indemnity for past wrongs, our very moderate demands have been immediately followed by new aggressions and more extended depredations; while our Ministers, seeking redress and reconciliation, have been refused a reception, treated with indignities, and, finally, driven from its territories.

“ The conduct of the French republic would well have justified an immediate declaration of war on the part of the United States; but, desirous of maintaining peace, and still willing to leave open the door of reconciliation with France, the United States contented themselves with preparations for defence and measures calculated to protect their commerce.

“ The treatment received by the former Envoys of the United States to the French republic having determined the President not to send thither other Ministers without direct and unequivocal assurances, previously signified by the Minister of Foreign Relations, that they would be received in character to an audience of the Directory, and that they should enjoy all the prerogatives attached to that character by the law of nations, and that a Minister, or Ministers, of equal powers, should be appointed and commissioned to treat with

them ; the French government, by Mr. Talleyrand, its Minister of Foreign Relations, has declared *that it will receive the Envoys of the United States in the official character with which they are invested ; that they shall enjoy all the prerogatives attached to it by the law of nations, and that one or more Ministers shall be duly authorized to treat with them.* This the President deems to be substantially the assurance which he required, as the previous condition of the Envoys entering on their mission. It now belongs to you, gentlemen, to see that this assurance be verified. Your country will not submit to any new indignity or neglect. It is expected, when you shall have assembled at Paris, and have given official notice of it to the Minister of Foreign Relations, that you will be received to an audience of the executive Directory ; that a Minister, or Ministers, with powers equal to your own, will be appointed to treat with you ; and that, within twenty days at farthest, after your arrival at Paris, your negotiation will be commenced. If, however, your passports to Paris should be unreasonably withheld ; if an audience of the Directory should be denied or procrastinated ; if the appointment of a Minister, or Ministers, with equal powers to treat with you should be delayed ; or, if, when appointed, they postpone the intended negotiation, you are to relinquish your mission, demand your passports, and leave France ; and, having once resolved to terminate the mission, you are not to resume it, whatever fresh overtures or assurances may be tendered to you by the French government.

“ One more limitation. The subjects of difference between the United States and France have often been discussed, and are well understood ; and, therefore, admit of a speedy decision. The negotiation is expected to be concluded in such time, that you may certainly embark for the United States by the 1st of next April. This is highly important, in order that, on your return, Congress may be found in session, to take those measures which the result of your mission shall require. If it can be earlier concluded, it will be still better.

“ If any of the periods above mentioned should be prolonged, with your assent, it is expected that the circumstances will be stated for your justification.”

This was the last document of the first class, emanating from the department of state, while Colonel Pickering presided over it. Like all his State Papers, it was clear, forcible, and effective in its style, and elaborate, thorough, and exhaustive in its substance. The country was carried through the crisis of the French republic, with a wise statesmanship, and in a spirit of true, vigilant, and resolute patriotism. The strong hands of Washington and Adams guided it steadily on the track of neutrality and independence. The heads of departments, and Congress, by developing the resources and summoning the energies of the nation, and by displaying and rousing the forces of a free and courageous people, rendered the United States too formidable to be safely encountered, even by France, in the madness of its career. The exploits of Truxtun in the "Constellation" were beginning to reveal those elements of the American character, destined to make the United States a great power on the sea; and Talleyrand concluded that it was prudent not to provoke her any longer. Chief Justice Ellsworth and his colleagues were duly received, and accomplished, substantially, the purposes of their mission. But a leading motive, no doubt, inducing France to a reconciliation, was to rescue from annihilation, and preserve for her benefit, the party in America claimed to be in her interest.

The only other portion of Colonel Pickering's diplomatic transactions as Secretary of State that requires to be noticed, in addition to what related to England and France, was with the Spanish Minister to the United States, Don Carlos Martinez de Yrujo.

On the 17th of April, 1796, Thomas Pinckney, then

Minister of the United States in London, wrote to Colonel Pickering as follows:—

“ DEAR SIR,

“ Mr. Le Chevalier de Yrujo will require no introduction to you from me, in his public character of Minister Plenipotentiary from his Catholic Majesty; but, as I have been favored with his acquaintance in this country, the knowledge I have obtained of his amiable manners and accomplishments, makes me desirous of introducing him to your private acquaintance; not doubting but he will receive from you those hospitable attentions which I am assured it is your desire to have a suitable opportunity of offering.”

Notwithstanding these promising impressions, made upon Mr. Pinckney, the Spanish Minister, soon after arriving at Philadelphia, fell into intimacy with, and in his whole bearing showed that he was under the influence of, the party opposed to the administration. He followed in the track of Fauchet and Adet; even surpassing them in annoying, groundless, and preposterous complaints, and in querulously thrusting his grievances before the government. One of them, in particular, may be noticed.

William Cobbett, having come over from England, settled, as a bookseller, in Philadelphia, in 1792. He established a paper, called “ Peter Porcupine’s Gazette,” and rushed into the conflict of American politics. His columns were filled with articles, in his caustic, trenchant, and truculent style. He attacked, among others, the Spanish Minister and nation, in a manner that roused the wrath of that gentleman to the highest pitch, as well it might. The “ Gazette ” of July 14th, 1797, for instance, has a letter to Philip Fatio, secretary of the Spanish Minister, beginning thus:—

“ DEAR DON,

“ Having, by your kind note of yesterday, been invited to a correspondence with you, I now avail myself of the invitation, in addressing to you a few observations on the letter of your ‘Chevalier,’ this day published in my ‘Gazette.’

“ Upon receiving your note, the first thought that struck me was, that Don de Yrujo was another Quixote, sallied out in search of adventures, and that you were his Sancho Panza, trotting quietly at his heels, discharging his drudgery and dirty work ; but, though you may be an exact likeness of the squire, both in body and mind, I find, upon a perusal of your knight’s letter, that my conceptions had done infinite injury to the hero of the romance ; for the language and manner of the former bear a much stronger resemblance to the silly and brutal reproaches of a French *sans-culotte*, than to the modest though manly remonstrances of the learned and accomplished Knight of La Mancha.”

The following is from a continuation of the same letter, in the “Gazette” of the next day :—

“ The idea of appealing from the government to the people originated in the Jacobin Club of Paris. Genet was the hardened scoundrel who first threatened it here ; and what he threatened, Adet put in execution, slipping out of the way of a penalty by declaring himself no longer Minister. At last comes Don Carlos, who, improving upon the example of these great masters in insolence, not only makes his appeal in a more direct and explicit manner, but retains his functions as Minister, and laughs at the anger of those whom he has insulted. Oh that I were President for about three hours !

“ When Adet’s appeal was received by the government he was no longer a public Minister ; it therefore became a question with some people whether the government could legally order him away or not. But your master’s case is quite different : by his retaining his public character, the difficulty is removed ; he may be instantly commanded to quit the country ; and, unless he is, and that too with every mark of resentment, I shall not be surprised to see the President kicked into the street in less than six months.

“ Gracious Heaven ! insulted by a Spaniard ! Eight years’ war and misery, and a hundred thousand men stretched dead upon the plains of America, and all to purchase a kick from a tawny-colored nation which Americans had ever been taught to despise ! I dare say you laugh to yourselves when you read over the endless and bombastical accounts of the celebration of our *independence*, while you see us so tamely submit to the taunts, the abuse, and robberies of you and your bloody and natural allies. If you do not laugh the rest of the world will, and therefore you may as well join in the roar.

“ You are the only nation on earth who can vie with the French in perfidy and cruelty, and therefore it is with singular propriety you call each other your *natural allies*.”

Yrujo resorted at once to the Secretary of State, and demanded redress for these attacks upon himself and his nation. Colonel Pickering told him that the executive government had no authority to act in the case ; that it belonged to the judicial department of the government ; that if it was desired he would see that the Attorney-General of the United States should examine the publications ; and if, in his judgment they constituted a libel, he would communicate with the District Attorney of the United States, instructing him to lay the matter before the grand jury of the United States court for Pennsylvania.

Yrujo conceived an earnest desire that the case should be brought before a Pennsylvania State court, and wrote to Colonel Pickering to that effect, to which the reply was, that

“ The Attorney-General is of opinion that the publications are libellous ; and, in consequence thereof, the proper officer of the United States is instructed to commence a prosecution against the publisher. If you reflect on your request or suggestion, perhaps you will think it should not

have been made. Having officially desired the government to prosecute the alleged libeller, it might have been presumed that the government would cause this to be done, in the legal and proper manner. You had been informed, by my letter of the 24th ultimo, that the matter had been committed to the Attorney-General by the President's express direction. The judiciary of the United States have explicit authority to take cognizance of 'all cases affecting Ambassadors, other public Ministers, and Consuls.' Whether 'the court of the State of Pennsylvania' is competent to take cognizance of this cause, it is not necessary for me to inquire. But the officers of the United States will not concur in offering an indignity to the Federal courts, by transferring a prosecution peculiarly proper for their cognizance to the court of any individual State."

Within a week after receiving this answer, Yrujo wrote to Colonel Pickering, again urging the request that the prosecution of Cobbett might be left to the State court of Pennsylvania. Colonel Pickering replied that proceedings had been commenced in the court of the United States, and that William Cobbett had given bonds to appear in that court to answer to the charge which, at the request of the Spanish Minister, had been exhibited against him.

In his account of this affair, published in November, 1797, Cobbett says: —

" Some time in the month of August last the Spanish Minister, Don Carlos Martinez de Yrujo, applied to the Federal government to prosecute me for certain matters published in my 'Gazette' against himself and that poor, unfortunate, and humbled mortal, Charles the Fourth, King of Spain. The government consented, and I was accordingly bound over, before the Honorable Judge Peters, to appear in the Federal District Court, which will meet next April. Of this preparatory step to a *fair* and *impartial* trial, the Don was informed.

But, it would seem, the information was far from being satisfactory to him."

Yrujo and his advisers, with the aid of the government of Pennsylvania, hunted up in Cobbett's "Gazette" some other passages, in addition to those upon which the prosecution in the Federal court was founded. A bill of indictment was prepared, accordingly, by the Attorney-General of Pennsylvania, and a warrant issued and executed for Cobbett's arrest on the 18th of November. The grand jury, at a session of the Supreme Court of Pennsylvania, returned the bill of indictment indorsed, *Ignoramus*. The jury stood, nine for bringing in the bill, and ten against it. The name of the Chief Justice, McKean, is at the head of witnesses for the prosecution before the grand jury.

In his "Gazette," April, 1798, Cobbett relates the principal points in this prosecution, and its conclusion, thus: —

" *Yrujo versus 'Porcupine.'* — It must be remembered by most of my readers that some time in August last, the Spaniard Yrujo applied to the Federal government to prosecute me for the publication of certain letters to the dear, little, tiny Fatio, his secretary. The government granted his request, and I was bound over to appear in the Federal District Court. This was a disappointment to the Spaniard, who delivered in a memorial to Mr. Secretary Pickering, requesting that I might be tried in the Supreme Court of Pennsylvania, where McKean (whose daughter he then courted, and has since married) was Judge. The request being refused by the Federal government, another prosecution was set on foot; and though all the new libels that were picked out were published previous to the commencement of the first prosecution, yet the State government of Pennsylvania carried on the new prosecution, and preferred a bill of indictment against me at the last Court of Oyer and Terminer; the fate of which bill

and all the circumstances attending it, are recorded in the 'Democratic Judge,' lately published by me.

"In the mean time the other prosecution went on in the Federal court, which met on Tuesday last. The bill of indictment was laid before the grand jury on Thursday. It was yesterday returned *Ignoramus.*"

This prosecution of the same man, for substantially the same thing, at the same time, by both a Federal and a State court, was a singular transaction. The result proved that it was hard in the matter complained of to find a refuge or defence from the quill of "Porcupine;" and that it would have been well had the Spanish cavalier followed Colonel Pickering's advice, who told him, at the outset, that "whether Cobbett's *ridicule*" could be stopped "would depend on himself;" that "his writings indicate that he is not of a disposition to be diverted from his humor by any attempts at *constraint*, while he can indulge it without the breach of any law."

The Spanish Minister finally went so far as to charge the government with being in alliance with Great Britain. He alleged that the Secretary of State was conniving with Mr. Liston, the British Minister, and countenancing a military expedition from the garrisons in Canada, through American territory, to seize upon the Spanish posts on the lower Mississippi! The supposition of the movement of troops over such an immense distance, through a pathless wilderness, was shown to him to be absurd. It was, of course, unequivocally repudiated by the American government; and Mr. Liston declared over and over again that such an idea had never been entertained. But Yrujo persisted in the ridiculous calumny. He foisted himself before a special committee

of Congress, introduced to them two witnesses, and solicited that they should be heard.

All this time, as the Spanish Minister states, he was treated with entire courtesy in his official intercourse with the Secretary of State. The latter, no doubt, chafed under the restraints imposed by diplomatic propriety in conferring with a foreign Minister who was pursuing such a course, and it must have been refreshing to indulge — privately communicating with his friends — in expressions suitable to the occasion.

In a letter to William Eaton, respecting what transpired before a "committee of the House of Representatives, who were collecting proofs to support the impeachment of Governor Blount," Colonel Pickering says, September 19th, 1797: —

"In relation to the affidavits of R—— and O——, whatever may be the character of the *latter*, I suppose you are *now* convinced that the *former* is unworthy of any confidence. Your answer to the committee was just as I expected, because it corresponded with the truth of facts. The committee, indeed, without your letter, had in their hands the evidence that R——'s declaration was a tissue of falsehood, and, therefore, ought not to have been admitted on their files. But one, if not two, of the committee were bent on the admission, for no conceivable reason but that it might excite a suspicion of an undue attachment, on my part, to Mr. Liston, the British Minister. The same view excited the zeal of the Chevalier de Yrujo, the Spanish Minister, to introduce R—— to the committee, and to urge the taking of his deposition. But, although it is desirable not to become the subject of unjust suspicion, yet, standing as I did on the firm ground of *truth* and *independence*, the villainy of one and the malice of others were alike objects of my contempt. R——'s baseness you see avowed by himself, in his deposition in answer to the question of the committee, — why he went to

the Spanish Minister with information that concerned the interests of the United States, or the character of any of its officers,— that he saw by the newspapers there was a controversy between the Spanish Minister and the Secretary of State, and he thought his information would be useful to the former. This, I think, was substantially his answer. You know R——'s extreme poverty and distress, and must remember his shabby appearance in point of dress. In the same wretched garb he first presented himself before the committee, when introduced by the Spanish Minister; but the third day afterwards, when he went before them, and made oath to his declaration, he was equipped with new, handsome clothing, silk stockings, &c. His motive, and its successful effect, in tendering his services to the Spanish Minister, were thus demonstrated. He was also, without doubt, enabled to discharge his debts."

It afterwards appeared, substantially by his own admission, that the testimony of this witness, thus obtained, was entirely without value, or foundation in truth.

Colonel Pickering, writing to his particular friend and colleague, Colonel McHenry, Secretary of War, who had sent him important information received from New Brunswick, in New Jersey, as to the conspiracy to bring false evidence against him, expressed himself still more freely:—

“ DEAR SIR,

“ I return the letter from New Brunswick. The object of the Spanish puppy and his hired witnesses was apparent from the beginning, but I have a perfect contempt for him and them. O——, lying in wait for E——, is, I suppose, to fix him to stand to the information which R—— and O—— have sworn that they received from him, before he can give any counter declaration. Perhaps they have a bribe to offer from Y——, to make sure work. But neither do I fear this event or its consequences. Armed with truth, I defy all the vil-

lains which the unprincipled Don and his dollars can assemble in array against me, and all the other devils incarnate in the United States who would be pleased with my destruction."

On the 23d of January, 1798, President Adams sent this message to Congress: —

"At the commencement of this session of Congress, I proposed, in the course of it, to communicate to both houses further information concerning the situation of our affairs in the territories of the United States, situated on the Mississippi River and its neighborhood; our intercourse with the Indian nations; our relations with the Spanish government, and the conduct of their officers and agents. This information will be found in a report of the Secretary of State, and the documents attending it, which I now present to the Senate and House of Representatives."

The "Report of the Secretary of State" is dated January 22d, and contains a full discussion of the subjects mentioned in the message.

Among the documents accompanying the report is a letter, dated August 8th, 1797, from "the Secretary of State to the Chevalier de Yrujo, Envoy Extraordinary and Minister Plenipotentiary of his Catholic Majesty to the United States of America."

This is one of Colonel Pickering's most memorable State Papers. It contains a thorough review of the correspondence and conferences with the Spanish Minister, and disperses all his grounds of complaint. It is written in a close, exact, and spirited style. At its beginning there is the following paragraph: —

"My additional report to the President of the United States, on the 3d of July, in relation to Spanish affairs, has offended you, and is mentioned as the cause of your writing to me on the 11th. If, Sir, I were now to make the just remarks and recriminations which your letter obviously sug-

gests, I am afraid you would be still more offended. I am not sure, indeed, that I can possibly frame an answer that will escape your displeasure; but I shall endeavor that it be expressed, not in a style indecorous, unusual, and unbecoming a diplomatic correspondence, while it contains a fair exposition of facts and arguments in opposition to errors and actual misrepresentations."

At and near the conclusion are these passages:—

"I thought I had reached the end of your criminations; but, in your concluding paragraph, you accuse me of an 'unjust partiality,' meaning, no doubt, towards the British Minister and his nation. The details I have given in this letter, I trust, will abundantly prove that this charge is as unfounded as it is indecent. Those details verify the representations of the conduct of certain Spanish officers, which are given, in my report of the 3d of July, to the President. If the truth has excited any unpleasant sensations, those only are to blame whose injurious acts obliged me to declare it. Instead of this task, I should have been happy to execute the grateful office of stating to the President the good faith and amicable manner in which the officers of his Catholic Majesty had executed the treaty of friendship, limits, and navigation between our two nations.

"Nothing, Sir, will give truer satisfaction to the government and citizens of the United States than to see such a change in the proceedings of the Spanish officers as will restore confidence. The change would be easy and the effect certain. Let them withdraw their troops and garrisons from the territories of the United States. Let them commence and prosecute the running of the boundary line. Let them cease to stop, control, or regulate the passage of our citizens on the Mississippi, seeing these have a right to navigate it with perfect freedom; and let them cease to send agents or emissaries among the Indians residing within the territories of the United States. When they shall do these things (and the good faith of his Catholic Majesty, pledged in the treaty, renders their doing them an indispensable duty), then we shall forget what is past, our confidence will return, and, with it,

that beneficial intercourse and those friendly acts by which neighbors may promote each other's interests, welfare, and happiness. And for such a state of things, whatever you may have imagined to the contrary, no one more ardently wishes, and on its arrival no one will more sincerely rejoice, than your obedient servant,

“TIMOTHY PICKERING.”

A few evidences will prove with what interest and approbation this letter to the Spanish Minister was received throughout America. The following are letters, or parts of letters, to Colonel Pickering, from the persons named:—

FROM JOHN ADAMS.

“QUINCY, September 4th, 1797.

“DEAR SIR,

“I have read all the despatches enclosed in your favor of August 26th, and have now time only to thank you and Colonel McHenry for your vigilant attention and judicious execution of all the business relative to them.

“Your letter to the Chevalier de Yrujo, dated the 8th of August, I have read with some attention. The quotations and references I presume to be exact; and the fact of his intimacy with Blount, I presume you are prepared to prove. Taking these things for granted, I see nothing to disapprove in the letter. On the contrary, I think it a masterly composition, and will do as much honor to you as it will cast just disgrace on the Spanish Minister. The measure is necessary.”

FROM JOHN JAY.

“NEW YORK, September 11th, 1797.

“I was this morning favored with yours of the 9th instant, and have just finished reading your answer to the Chevalier's indiscreet and improper letter. If no faction hostile to the true interests of this country existed in it, I presume that the proper way to treat that gentleman would be to insist on his recall, and to refuse to do business with him. Under present circumstances, prudence requires that more than ordinary pains be taken to preserve public opinion from the

errors into which that faction so industriously labor to mislead it. On this principle I approve of your treating that letter with more attention than it really deserved. While such continues to be the state of things, the aggressions of foreigners ought not to be concealed from the public eye; and, perhaps, we should now have fewer aggressions to complain of if our delicacy and forbearance and silence had not encouraged doubts of our self-respect.

“The answer is not too long. In my opinion it is always best to do business thoroughly, or not at all. It is a great point to keep and to *show* one’s adversaries to be in the wrong; and this point you have gained, with respect both to Adet and the Chevalier. It gratifies me not a little to see American ministers act like Americans, on independent and American ground, uninfluenced and undisgraced by foreign management.”

In another letter, dated from Albany, November 13th, 1797, Mr Jay says:—

“The recent explosion at Paris has cast most of our calculations and conjectures, relative to the issue of our negotiations with the Directory, very much into the air. A complete state of defence at home appears to me to be the only solid foundation on which to rest our hopes of security, and I regret that more has not been done towards it. But, until our people become more united, and feel more sensibly the pride and the duties of independence, our Jacobins will not cease to perplex the measures of our government, however wise and salutary. It is pleasing to observe that, notwithstanding their efforts to mislead, the public mind is gradually recovering from its errors; and to this end your public reports and letters have essentially contributed. Your answer to the Spanish Minister’s factious and indecent letter has made stronger impressions than he and his counsellors probably suspect.”

FROM ROBERT MORRIS.

“I had the pleasure to receive your letter of the 21st, accompanied by that which you have addressed to the

Chevalier de Yrujo, of the 8th of August, which I have read with great satisfaction, and hope it may not be long before it is given to the world; for I am one of those who wish to see our government respected, as it ought to be, by everybody, but especially by the representatives of other nations."

FROM HENRY W. DESAUSSURE,

An eminent citizen of South Carolina, and for nearly thirty years Chancellor of that State.

"We have been much gratified by a view of your correspondence with the Chevalier who represents the Spanish government. When I say gratified, I mean that it is grateful to perceive the plain, manly, open politics of our country triumphing over the crooked, evasive measures of a foreign government, desirous to avoid a performance of its engagements, and seeking a mean pretext to elude them. The refutation is complete, and the effect sensibly felt."

• FROM FISHER AMES.

"DEDHAM, October 4th, 1797.

"My engagements in a law court have not permitted me to thank you sooner for the entertainment your printed answer to the little Don has afforded. You have not left a whole bone in his skin. If his nation were not in question, I should say he was beaten too much,—beaten after he was down, and every by-stander would pity him. But, as Spain once had power, and is still *magni nominis umbra*, with as much pride as if the substance had *not* departed, the spirit and vigor of the answer will have its effect in Europe. There they all tremble at France, and Spain too, because the terrible republic says, 'love me, love my dog.' For my part, I love neither; and I rejoice to see the country acquiring very fast that self-respect which, with such an increment of power and resources as every year gives to the United States, will soon extort from foreign states the proper diplomatic sentiments and behavior. We have suffered strange impertinences from these privileged gentry. Mortified and provoked as I have been on the successive occasions, I think it clear that the outrages upon our national dignity have raised the spirit and patriotism of the citizens.

“ If France should have another volcanic eruption, as many expect she will, her partisans here will grow modest. If the sword should preserve their tranquillity, my fears are that they will change their policy from fear to hypocrisy, and hug us worse than they have robbed us.”

All the evidence to be gathered from the history of that period, the sentiments expressed, and the memorials that have been preserved, makes it quite certain that Colonel Pickering, in his exercise of the functions of Secretary of State, during a large portion of the administrations of Washington and Adams, bore a great share in keeping the United States on that course of neutrality and independence which, in the then state of the world, it is now seen, saved the nation.

As the acts of the Spanish Minister were wholly under the influence of France, through its agents and partisans in America, and no serious danger threatened the government from any other power, the view presented in the following letter from Colonel Pickering to Colonel James Hendricks may be accepted as denoting the special field of service of the former in conducting and superintending the foreign relations and intercourse of the country:—

“ I have received your letter, and have since seen published the address to the President from Wilkes County, in Georgia. Every real friend to the dignity and independence of the United States must rejoice at the increasing prevalence of such sentiments. An exception may be made to the expression, ‘ Intrigues of foreign *courts*;’ for I have not known of any intrigues to involve the United States ‘ in the labyrinths of European wars,’ except those of the French republic. Nor have any ‘ foreign *nations* represented the Americans as a divided people.’ The French (pretended) republicans alone have thus vilified and insulted our country.

I thank God that the monstrous injustice, the unprecedented insults, and the boundless ambition and rapacity of the French, have at length opened the eyes of our countrymen ; and that they are generally ready to arm, to repel the aggressions of those enemies to our peace, and to the repose of the civilized world.

“I read your letter to the President ; the tender of the services of an old soldier must ever give pleasure.

“I am, Sir, your obedient Servant,

“TIMOTHY PICKERING.

“PHILADELPHIA, July 27th, 1798.”

CHAPTER XI.

Secretary of State.—The Federal Administration.—Differences of Opinion among its Supporters.—The relative Rank of Major-Generals in the Provisional Army.—The Institution of another Mission to France.—The Pardon of Fries.—The Presidential Election in 1800.—Overthrow of the Federal Party.

1797-1800.

THE enthusiasm with which the American people regarded the French Revolution in its earliest stages, their hearts still inspired with the sentiments that had been kindled in their own, rendered it extremely difficult to restrain them from making common cause with the republic of France, which would have involved them in a common ruin. It is one of the chief blessings for which the people of the United States are to be for ever thankful,—one of the providences that have marked their history,—that their government, during that critical and momentous period, was in wise and strong hands. Washington and Adams resolutely and steadily preserved the independence by maintaining the neutrality of the country.

The zeal of the people in favor of a close and active alliance with France gradually subsided under the shocks received from the outrages and excesses of its revolutionary leaders, and was replaced by indignant resentment at the insulting, domineering, and rapacious course of the Directory. A determination spread rapidly through the Union to sustain their own administration, vindicate

the honor and dignity of the nation, render it secure against foreign aggression by making it too formidable to be safely assailed or insulted, and prepare it to present an undaunted front if occasion arose to any or all of the belligerents of Europe.

The party thus rallying to the support of the government became ascendant, and had it not been for differences and jealousies in its own bosom would have permanently decided the policy of the country, and indefinitely held the control of its affairs. As Colonel Pickering was prominently connected with some of these unfortunate disturbing elements, it is necessary to consider them carefully in his biography. In doing this, as throughout the present work, the subject will be largely presented in correspondence at the time, bringing the parties concerned to relate their motives and actions, thus imparting a living interest and original authority to the narrative.

Some preliminary remarks are necessary, however, to point out, and keep in view, the sources of these differences and disagreements, and explain their mischievous effects and seriously important bearings on the course of events.

General Washington's continued absence for so many years from his plantations and homestead, during the war of the Revolution, declining all compensation for his service, and only allowing the country to reimburse his actual expenses in the field, had led to a great personal sacrifice and injury to his estate. As it was felt to be unreasonable to require him again to make such a sacrifice by a renewed continuous absence for a period of years; as he had been altogether reluctant to accept

the office of President, justifiably desiring to pass the remainder of his days in the tranquillity of rural occupations, retrieving the condition of his lands, enclosures, and tenements; as the measure of his service for the public, as well as of his own glory, was full; and especially as, during his term, there was no established seat of government,— all acquiesced in his retiring to Mount Vernon for a month or more at a time while Congress was not in session, leaving the affairs of the government in charge of the heads of departments. Some public inconvenience, however, occasionally arose from his absence, as in the delays and embarrassments attending the ratification of Jay's treaty.

The case of Washington under the circumstances was exceptional. As a general rule men who hold, especially those who have sought, official station should be found at their post. In the complicated and constantly occurring questions and emergencies in the government of a great country, the hand and mind of the responsible chief should always be present. The ship of State ought never to be left to the lieutenants.

The case of John Adams was also exceptional. The prevalence of yellow-fever at Philadelphia in several summers previous to and during his term created great alarm, and all who could removed from its neighborhood. It was necessary, as everybody felt, for him to leave the city; and he carried his family to Quincy, their home in Massachusetts, on the rising of Congress, which always adjourned, at its summer sessions, as early as possible, to avoid the danger. His cabinet officers sought refuge elsewhere. This entire separation of the President from his official advisers was of evil effect. It suspended

for the time being all intercourse, when the absence of Congress would have afforded leisure for a free and frequent social intimacy that would have enabled them to understand him better, and united them all in pleasant confiding relations.

Mr. Adams's peculiarities of manner and conversation required time and experience to be justly appreciated. He gave utterance to whatever feelings and opinions might be suggested at the moment. He was apt to express what others have prudence enough to suppress. His language partook of the character of his strong faculties. He sometimes appeared excited and irritated on the most trivial passing occasions; and those not frequently in contact with him would be likely to be surprised if not offended. But whatever ill-humor or harshness appeared was transitory and superficial, and would be found the next day or next hour to have passed wholly away. Colonel Pickering always, even in subsequent periods of the most vehement animosity between them, bore testimony that Mr. Adams was not implacable.

As he was in the habit of speaking out without restraint or consideration what more cautious men withhold, he exposed himself to the imputation of egotism, vanity, self-conceit, and an absolute overbearing spirit, which, in the conflicts of opinion and the heat of controversy, were brought as charges against him.

This imprudent openness and incontinence of speech was unfavorable to discussions liable to evoke earnest difference of views. He was aware of it, lamented it, and often reproached and ridiculed himself for it. Together with his long absences from the seat of govern-

ment, it led to infrequency of verbal consultations with his cabinet. Where there was any probability of disagreeable passages occurring, he abstained from bringing subjects before them. The result was that he often took measures of the highest importance without any communication with them.

Unfortunate and wrong as was this state of things, it must, nevertheless, be remembered to his honor and that of his official advisers that, in their deliberations when they did meet, such a restraint was after all practised on both sides, that, with a few exceptions, the most entire courtesy prevailed. Considering how important the conflict of opinion, as is now to be shown, sometimes was, and how often he was overruled and thwarted by his counsellors and they by him, it is quite remarkable that essential harmony and mutual respect were so long maintained.

The first serious difference of opinion that disturbed the administration of Mr. Adams related to the ranking of the Major-Generals in the provisional army. As to the Lieutenant-General and Commander-in-Chief there was but one opinion. All eyes turned to Washington. In view of his age, and the proprieties of the case, it was not expected that he would take the field personally until an invasion should be threatened by the enemy. The entire superintendence of the details of gathering, organizing, arranging the disposition, training, and general preparation of the forces, it was understood would fall upon the Major-General next to him in rank, as would the absolute command-in-chief in the event of his death. An open war with the army of the terrible French Republic, then regarded as invincible,—all thrones

trembling, and kingdoms sinking before it—was no light matter. Every one saw that it was absolutely necessary to the life of the United States that the American army should be led by the highest military genius. The great name of Washington, and the confidence of the whole people in his courage, experience, and wisdom, were all that could be desired; but it was scarcely less important that the next officer in rank should have the qualifications that actual and possible emergencies required.

Writing to Washington, on the 22d of June, 1798, President Adams said:—

“ In forming an army, whenever I must come to that extremity, I am at an immense loss whether to call out all the old Generals or to appoint a young set. If the French come here, we must learn to march with a quick step, and to attack; for in that way only they are said to be vulnerable. I must tax you sometimes for advice. We must have your name, if you will, in any case, permit us to use it. There will be more efficacy in it than in many an army.”

In a letter to the Secretary of War, dated July 6th, 1798, the President said:—

“ It is my desire that you embrace the first opportunity to set out on your journey to Mount Vernon, and wait on General Washington with the commission of Lieutenant-General and Commander-in-Chief of the armies of the United States, which, by the advice and consent of the Senate, has been signed by me.

“ If the General should decline the appointment, all the world will be silent, and respectfully acquiesce. If he should accept, all the world, except the enemies of this country, will rejoice.

“ His advice in the formation of a list of officers would be extremely desirable to me. The names of Lincoln, Morgan, Knox, Hamilton, Gates, Pinckney, Lee, Carrington, Hand, Muhlenberg, Dayton, Burr, Brooks, Cobb, Smith, may be

mentioned to him, and any others that occur to you. Particularly, I wish to have his opinion of the man most suitable for Inspector-General, and Adjutant-General, and Quartermaster-General. His opinion on all subjects must have great weight."

Upon having accepted the appointment, Washington named, out of the list thus given by the President, as the three Major-Generals, Alexander Hamilton, Charles Cotesworth Pinckney, and Henry Knox; Hamilton to be also Inspector-General.

The President sent in their nomination in the same order in which their names, as above, had been arranged in Washington's communication, and the Senate advised and consented to their appointment forthwith. The President having gone to Quincy, the Secretary of War made out their commissions in accordance with that arrangement, and sent them to the President for his signature. On the 14th of August, the President wrote to the Secretary of War, as follows: —

"Calling any other general officers into service at present will be attended with difficulty, unless the rank were settled. In my opinion, as the matter now stands, General Knox is legally entitled to rank next to General Washington; and no other arrangement will give satisfaction. If General Washington is of this opinion, and will consent to it, you may call him into actual service as soon as you please. The consequence of this will be that Pinckney must rank before Hamilton. If it shall be consented that the rank shall be: Knox, Pinckney, and Hamilton, you may call the latter two into immediate service when you please. Any other plan will occasion long delay and much confusion. You may depend upon it, the five New England States will not patiently submit to the humiliation that has been meditated for them."

The Secretary of War, writing to General Washington, September 7th, says: —

“ The President is determined to place Hamilton last and Knox first. I have endeavored all in my power to preserve your arrangement, but without effect. You shall be informed in a short time of the course of the business. I know not how it will be received, and can only hope that he will not refuse to serve. I shall, however, soon know, and will instantly acquaint you.”

To explain these transactions, the following correspondence is necessary. Colonel Pickering wrote to General Washington, as follows :—

“ PHILADELPHIA, July 6th, 1798, 11 o'clock at night.

“ SIR,

“ My attachment to my country, and my desire to promote its best interests, I trust, have never been equivocal; and, at this time, I feel extreme anxiety that our army should be organized in the most efficient manner. The enemy, whom we are preparing to encounter, veterans in arms, led by able and active officers, and accustomed to victory, must be met by the best blood, talents, energy, and experience that our country can produce. Great military abilities are the portion but of few men in any nation, even the most populous and warlike. How very few, then, may we expect to find in the United States! In them the arrangements should be so made that not one might be lost.

“ There is one man who will gladly be *your second*, but who will not, I presume, because I think he ought not, be the second to any other military commander in the United States. You too well know Colonel Hamilton's distinguished ability, energy, and fidelity to apply my remark to any other man. But to ensure his appointment, I apprehend the weight of your opinion may be necessary. From the conversation that I and others have had with the President, there appears to be a disinclination to place Colonel Hamilton in what we think is his proper station, and that alone in which we suppose he will serve,— the *second* to you, and the chief in your absence. In any war, and especially in such a war as now impends, a Commander-in-Chief ought to know, and have a confidence

in, the officers most essential to ensure success to his measures. In a late conversation with the President, I took the liberty to observe that the army in question not being yet raised, the only material object to be contemplated in the early appointment of the Commander-in-Chief would be, that he might be consulted, because he ought to be satisfied, in the choice of the principal officers who should serve under him.

“ If any considerations should prevent your taking command of the army, I deceive myself extremely if you will not think that it should be conferred on Colonel Hamilton. And, in this case, it may be equally necessary, as in the former, that you should intimate your opinion to the President. Even Colonel Hamilton’s political enemies, I believe, would repose more confidence in him than in any other military character that can be placed in competition with him.

“ This letter is, in its nature, confidential, and therefore can procure me the displeasure of no one ; but the appointment of Colonel Hamilton in the manner suggested appears to me of such vast importance to the welfare of the country, that I am willing to risk any consequences of my frank and honest endeavors to secure it. On this ground, I assure myself you will pardon the freedom of this address.

“ P. S. Mr. McHenry is to set off to-morrow, or on Monday, bearing your commission.”

The departure of the Secretary of War from Philadelphia being postponed for some days, the foregoing letter was despatched by mail. In his reply to it, dated Mount Vernon, July 11th, Washington said : —

“ As I never get letters by the mail until the morning after they arrive in Alexandria, and frequently not for several days, and, as I am not regular in sending thither, your favor of the 6th instant did not reach my hands until yesterday.

“ Of the abilities and fitness of the gentleman you have named for a high command in the *provisional army*, I think as you do ; and that his services ought to be secured at *almost* any price. What the difficulties are that present themselves to the mind of the President in opposition to this measure, I

am entirely ignorant ; but, *in confidence*, and with the frankness with which you have disclosed your own sentiments on this occasion, I will unfold mine under the view I have taken of the prospect before us, and shall do it concisely.

“ If the French should be so *mad* as openly and formidably to invade these United States, in expectation of subjugating the government, laying them under contribution, or in hopes of dissolving the Union, I conceive there can hardly be two opinions respecting their plan, and that their operations will commence in the southern quarter. 1. Because it is the weakest ; 2. Because they will expect from the tenor of the debates in Congress to find more friends there ; 3. Because there can be no doubt of their arming our own negroes against us ; and 4. Because they will be more contiguous to their islands and to Louisiana, if they should be possessed thereof, which they will be if they can.”

From these premises Washington proceeds to give reasons why it would be expedient to place General Pinckney second to the Commander-in-Chief ; his great local influence in the southern States, his personal popularity there, enabling him to call out to a higher degree than any other man the strength of that part of the country to repel invasion, and his general qualifications for command in the traits of his character, and military experience and ability. In no way does his preference, for these reasons, of Pinckney affect his estimate of Hamilton’s merits.

General Pinckney then was, and it was not certain how long he might be, out of the country. In view of this Washington adds, “ that impediments to the return of General Pinckney, and causes unforeseen, might place Colonel Hamilton in the situation you wish to see him.” It is evident that Washington at the date of this letter had no other persons in contemplation, as the commanding Major-General, than Pinckney and Hamilton, and

that he preferred the former exclusively on local grounds. The letter concludes thus:—

“ What arrangements the Secretary of War is empowered by the President to make with me I know not. In the letter of the former to me he has not touched upon them. He is not yet arrived, but the bearer of this to the Post-office in Alexandria carries up my carriage in order to accommodate him down, this being the afternoon on which the mail stage is expected at that place. I regret, however, that he should have left Philadelphia before a letter, which I had written here, could have reached that place.

“ This letter went from hence on Friday last, before I knew, or had the most distant suspicion of the President’s intention of nominating me (without previous notice) to the trust he has done; but was written in consequence of a *wish*, expressed in a letter from the Secretary to me, that the crisis might overcome my reluctance to appear again on the public theatre. Upon this occasion I thought it expedient before matters proceeded further to be candid and explicit, and accordingly wrote him my sentiments in detail, the substance of which was, that if an *actual invasion*, by a formidable force, should occur, or such demonstrations of the intention as could not be mistaken, I conceived it to be a duty which I owed to my country, and to my own reputation, to step forward with my best endeavors to repel it, however painful the measure might be to a person at my time of life, and under the circumstances I am. But, for the satisfaction of my own mind, I should like to know from the best evidence the case was susceptible of, that my services as Commander-in-Chief would be preferred to those of a man of more juvenile years, in the prime and vigor of life; and that, as neither ambition, interest, or personal gratification of any sort, could induce me to engage again in the turmoil and hazards of war; as I had every thing to risk, and hardly any thing to gain (the vicissitudes of war being in the hands of the Supreme Director where no control is); and as the army was about to be formed, and every thing in a manner depending upon the arrangement and organization, it could not be expected that I would take

the command of it without previously knowing who my coadjutors were to be, and having the assistance of those in whom I could place confidence. I mentioned no names, for at that time I knew nothing of my own appointment, and thought the matter too much in embryo to go further; and to allow him, if a fit occasion occurred, to let these as my sentiments be known to the President. I shall conclude with sincere esteem and regard, dear Sir, yours, &c."

After full consultation with the Secretary of War, and further consideration of the subject, Washington sent word to the President of his acceptance of the commission, with his list of Major-Generals arranged in this order: Hamilton, Pinckney, Knox. The President, as has been seen, sent their names in the same order of arrangement to the Senate, who concurred in their appointment. After reaching Quincy, the President directed an alteration of the order, placing Knox first and Hamilton last. This created an unpleasant embarrassment; and much earnest correspondence passed between prominent men interested in the support of the administration and the welfare of the country at that crisis. The following is from a letter to Colonel Pickering, dated July 18th, 1798, from John Jay, then Governor of New York:—

“ Every true American here rejoices that General Washington has accepted the command of the army. It is an auspicious event. Being of the number of those who expect a severe war with France, the moment she makes peace with Britain, I feel great anxiety that nothing may be omitted to prepare for it.

“ At the commencement, and indeed during the course of our Revolutionary war, we suffered from the inefficiency of too many of our military officers. Great care should be taken to avoid the like mistake. Former rank cannot compensate

for the want of essential qualifications. To pass by certain characters cannot but be unpleasant, and yet, in my opinion, public good forbids their being called to the field. We shall, probably, have very different Generals to contend with from those which Britain sent here last war, and we should have very different ones to oppose them than several of those who then led our troops. I cannot conceal from you my solicitude that the late Secretary of the Treasury may be brought forward in a manner corresponding with his talents and services. It appears to me that his former military station and character, taken in connection with his late important place in the administration, would justify measuring his rank by his merit and value. Pardon these. I know these matters are not within my department, but they occupy my mind continually.

“It is an agreeable circumstance that our President, notwithstanding the diplomatic skill of France, stands high in the public estimation and confidence; and that the utmost reliance may be reposed on his patriotism. He has much to think of and to do; but, while his measures are well matured, deliberately adopted, and vigorously executed, his administration will be rendered more and more glorious by successive difficulties.”

Colonel Pickering, replying on the 20th of July, says:—

“Although I deem so lowly of my own discernment, in such weighty concerns, as to render such communications from you and other eminent citizens peculiarly grateful, yet, on the present occasion, I cannot withhold the pleasure of showing you the perfect coincidence of our thoughts by presenting you with a copy of my letter of the 6th instant to General Washington.”

General Washington wrote to Colonel Pickering, September 9th, as follows:—

“Your private letter of the first instant came duly to hand, and I beg you to be persuaded that no apology will ever be necessary for any confidential communications you may be disposed to entrust me with.

"In every public transaction of my life, my aim has been to do that which appeared to me to be most conducive to its weal. Keeping this object always in view, no local considerations or private gratifications, incompatible therewith, can ever render information displeasing to me, from those in whom I have confidence, and who, I know, have the best opportunities of acquiring a knowledge of facts in matters which may be interesting to our country, and essential for myself as its servant.

"Having troubled you with this exordium and egotism, I do not only thank you for the full and judicious observations, relative to the discontents of General Knox at being appointed junior Major-General in the augmented corps, but I shall do the same for your further occasional remarks on this or any other subject which may be interesting and proper for me to know, that I may thereby regulate my own conduct, in such a manner, as to render it beneficial and acceptable to the community, in matters which depend upon correct information not in my power to obtain in the ordinary course, without aid."

He then gives the result of a correspondence that had taken place between him and Knox, in which the latter claimed precedence over both Hamilton and Pinckney, and says: "How the matter stands between him and the President, and what may be the ultimate decision of the latter, I know not. But I know that the President ought to ponder well before he consents to a change in the arrangement."

A joint letter, dated September 11th, written by Colonel Pickering, was prepared to be sent to the President, and to be signed by the members of the cabinet. It was concluded, as less likely to be disagreeable to the President, to have, in its stead, a letter to him, sent by Mr. Wolcott, the Secretary of the Treasury. The substance of the joint letter, although it was withheld, is here given, as covering the whole case.

“SIR,

“Your letters of August 14th and 29th, we have seen in the hands of the Secretary of War. We are ever sorry when our views of men and things oblige us to entertain opinions different from yours; and we cannot, without much pain, express to you those opinions; but a sense of duty to you, and to our country, supersedes all other considerations.

“In your letter of the 29th of August, you seem to have determined the order in which the three Major-Generals whose names stand first in the nominations to the Senate, and as approved by them, shall hold their relative ranks; and, as a decisive mode of settling the point, you propose that the commissions shall be dated,—General Knox’s on the first day, General Pinckney’s on the second, and General Hamilton’s on the third day. But the commissions are not yet issued; and we have requested the Secretary of War to retain them, until we should respectfully lay before you our sentiments on the subject.

“Contrary to our expectation, General Knox claims the first rank; and, in support of his claim, he refers to a rule adopted in the war of our Revolution, by which, among officers appointed to the same grade, on the same day, their relative rank in the new grade was to be determined by their respective ranks prior to such new appointment. But this rule, however correct in principle and useful in practice for an army *already formed*, can most clearly have no operation where *no army previously exists*, and where, of course, the officers to be arranged possess no *prior ranks*. It is an incontrovertible fact, that, before their recent appointments by the President and Senate, Alexander Hamilton and Henry Knox were *private citizens*, and their *new stations* were consequently to be determined by their comparative talents and merit. What these are, in the estimation of General Washington, the Commander-in-Chief, under whom both served during the American war, and whose daily intercourse with both for years enables him to form a correct judgment of their military virtues, may be inferred from the order in which the Commander-in-Chief arranged their names; but, forcibly and decidedly, from his letter to Hamilton, dated the

14th of last July, extracts from which we beg leave here to present to your recollection ; first reciting the General's preliminary declaration of one of the two conditions on which he accepted his commission, in these words: 'I have consented to embark, once more, on a boundless field of responsibility and trouble, with two reservations, — first, that the principal officers in the line, and of the staff, shall be such as I can place confidence in.' The General then says: 'It will be needless, after giving you this information, and *having indelibly engraved on my mind* the assurances contained in your letter of the 2d of June, to add that I rely upon you as a coadjutor and assistant in the turmoils I have consented to encounter.'

" The General then puts down the names of the three gentlemen in question, in the following order:—

‘ Alexander Hamilton, Inspector,
Charles C. Pinckney,
Henry Knox, or, if either of the last
men refuses, Henry Lee of Vir-
ginia. } Major-Generals.’

" The General then adds: ' And now, my dear Sir, with that candor which you always have, and I trust ever will experience from me, I shall express to you a difficulty which has arisen in my mind relative to seniority between you and General Pinckney, *for with respect to my friend General Knox, whom I love and esteem, I have ranked him below you both.*' Next follows the General's statement of the grounds of his ' difficulty ' with respect to the relative rank of Hamilton and Pinckney, the principal of which are: ' the nature of the impending war; its probable commencement in the southern States; General Pinckney's great popularity there; the high estimation in which they hold his military reputation; his 'numerous and powerful connections; and the consequent 'most interesting importance' of his 'influence' in those States. ' To this account of him ' says the General, ' may be added, that his character has received much celebrity by his conduct as Minister and Envoy at Paris.' The General then proceeds: ' Under this view of the subject, my wish

to put you first, and my fear of losing him, is not a little embarrassing ;' and concludes with these words: ' I wish devoutly that *either of you*, or any other fit character, *had been nominated in my place*. For no one can make a greater sacrifice, at least of inclination, than will your ever affectionate, G. Washington.'

" It seems impossible for words to express more forcibly General Washington's opinion of the superior military talents and virtues of Mr. Hamilton over all his competitors, and especially over General Knox. The same estimate is made by all the public men and private respectable citizens within our acquaintance. In one word, we hesitate not to pronounce that the *Public Voice* has designated Mr. Hamilton, as a military officer, the second only to General Washington, and, in his absence, the chief.

" General Washington, in the before-mentioned letter to Mr. Hamilton, after speaking of General Pinckney, as above cited, and saying, ' under this view of the subject, my wish to put you first, and my fear of losing him, is not a little embarrassing,' asks, ' But why ? for, after all, it rests with the President to use his pleasure.' Certainly : but when General Washington accepted his appointment as Commander-in-Chief of the army *after* the President of the United States had authorized the Secretary of War to inform the General *that, if he would accept it, he might designate the principal officers to serve under him*, and consequently the stations in which they should serve ; and when the General consented to serve on condition that the ' principal officers of the line and of the staff should be such as he could place a confidence in ;' and when he has declared that the *assurance* contained in Mr. Hamilton's letter of the 2d of June (an assurance, certainly, of assisting him with his services if the General were called to the field) '*was indelibly engraved on his mind*,' and that he *RELIED* upon Mr. Hamilton ' as a coadjutor and assistant ;' when the General has designated Mr. Hamilton as Inspector and first Major-General ; when he has explicitly ranked his friend General Knox, whom he loved and esteemed, below both Hamilton and Pinckney, and even expressed his wish that one or the other of these two had been nominated Com-

mander-in-Chief in his place,—will it be delicate—will it (pardon the expression), will it be consistent even with good faith—to subvert General Washington's arrangement? to degrade Mr. Hamilton, and thus probably deprive the General of the aid on which he firmly relied, and our country of the services of a man to whom, next to General Washington, it looks up with confidence to lead our armies against a fierce, active, and skilful foe,—a foe which, in selecting its chief military commanders, regards not ancient rank, or any considerations but those of eminent and superior military qualities,—a foe that must be opposed, if opposed successfully, by armies alike commanded?

“These are considerations, Sir, that have penetrated our minds, and induced us in such plain, but, we trust, respectful, language, to lay our sentiments before you. It was extremely unpleasant thus to oppose our opinions to yours, but we could not withhold them without violating our sense of the obligations arising from our stations to render to our country every possible good, and to guard it, as far as we can guard it, against every possible, but especially against any apparent and great, public mischief. The latter, we fearfully apprehend, will flow from the degradation of Mr. Hamilton and the elevation of General Knox, in the manner proposed in your letter of August 29th, before mentioned; and the faithful information we owe to you on all the great concerns of the United States have forced from us the statement here presented to your view.”

The President was tenacious of his purpose to place Knox at the head of the Major-Generals, and by his order the Secretary of War made out the commissions, dating that of Pinckney a day after that of Knox, and Hamilton a day after that of Pinckney. But as the President recognized, after all, the necessity, under the circumstances, to have the consent of Washington, they were not issued, and the matter remained in suspense. On the 1st of October, Washington wrote to Pickering thus:—

“ The letter written by Mr. Wolcott to the President of the United States, and the representation made by me to him so soon as I received *official* information of the change intended by him in the relative rank of the Major-Generals ; and of his departure, in almost every other instance, from what I considered a solemn compact, and the *only* terms on which I would, by an acceptance of the commission, hazard every thing dear and valuable to me, will soon bring matters to a close, so far as it respects myself. But, until the final result of them is known, the less there is said on the subject the better.”

On the 9th of October, 1798, the President wrote to General Washington that the commissions should be conformed to his wishes, and if any controversies should arise as to rank, or as to the construction of the “ *resolutions of the ancient Congress*,” he should not regard them, “ as there is no doubt to be made that, by the present Constitution of the United States, the President has authority to determine the rank of officers ;” and on the 22d of October, he wrote to the Secretary of War that he “ would confirm the judgment ” of General Washington in reference to the rank of the respective Major-Generals, “ whatever it might be.”

Hamilton was accordingly ranked next to Washington, and, on the death of the latter, was appointed by President Adams in his place at the head of the army.

The apprehension that the services of General Pinckney might be lost, in consequence of his being placed below Hamilton, on the return of that gentleman to America, was discovered to be groundless. Writing to Colonel Pickering, October 25th, Washington says : —

“ That General Pinckney not only accepts his appointment in the army of the United States, but accompanies the acceptance with declarations so open and candid as those made to

General Hamilton, affords me sincere pleasure. It augurs well of the aid that may be expected from his services."

Before passing from this subject, it is just and proper to have the views of General Knox, as presented by himself. In a letter to Colonel Pickering, of the 8th of August, 1798, he says: —

"That the government have the indisputable right of declaring the priority of rank, in the same grade, is admitted in its fullest latitude, provided the same shall be explicitly declared at the time. But, if no such declaration be made, the rank must be decided according to the rules for that purpose.

"The present view of the subject is, that Mr. Hamilton's talents have been estimated upon a scale of comparison so transcendent that all his seniors in rank and years of the late army have been degraded by his elevation.

"Whether this estimate has been perfectly correct, or whether the consequences will be for the happiness of the country, time will discover.

"Entirely satisfied in my judgment, and delighted in my feelings, by the exalted conduct of the executive in its foreign relations, I should have been desirous of giving it the highest evidence of my attachment, by every hazard and sacrifice. But it would appear that I must remain satisfied with the intention only, or act under a constant sense of public insult and injury."

As to some points relating to this business, President Adams appears to have been misinformed. In a letter to General Washington, dated September 1st, Colonel Pickering says: —

"The President has expressed his opinion that the 'five New England States' would be more than disgusted, were Hamilton to precede Knox; but the President is certainly mistaken. Of all the Senators and Representatives in Congress from New England whose opinions I have heard, not one ever entertained the idea that Colonel Hamilton should be

second to any but you. So far from it, that if the New England Senators had anticipated the present embarrassment, I perfectly believe they would have passed upon Colonel Hamilton's nomination, and adjourned till the next day before they decided on the others."

That this statement was correct is shown by the following, from a letter addressed to Colonel Pickering, September 17th, by Benjamin Goodhue, a Senator in Congress from Massachusetts: —

" You ask me if the Senate did not consider Hamilton as receiving the appointment of second in command. They surely did. The committee who brought the bill in for raising the army, viz., Messrs. Read, Lawrence, Tracy, Bingham, and myself, in the course of preparing the bill, and particularly in providing an Inspector-General, with the rank of Major-General, frequently mentioned Hamilton, among ourselves, as the only person to fill that office, and to be the second in command; and, notwithstanding the ranks which gentlemen might have held in the former army, that being extinct and this a perfectly new creation, former rank could have nothing to do in this business. Such was the conversation in the committee, and such were their ideas, and, I believe, of the whole Senate; for I never heard any suggestions to the contrary till since my return home. The morning we took up the nominations, six or eight of us held a consultation together, — knowing the President's prejudice against Colonel Hamilton, — whether we had not better take up Colonel Hamilton's nomination only on that day, and postpone the others to the next day; but it seemed to be the opinion of the gentlemen that it was unnecessary, for they said it would be impossible but that the President must follow an invariable custom of giving rank as they stood arranged on the nomination, and therefore we dropped the idea of postponing the other nominations to the next day. In fact, Colonel Hamilton did first receive the consent of the Senate, as the nominations were taken up *seriatim*."

Mr. Goodhue further says, " that it was perfectly

understood" that Hamilton "should be second in command."

In his letter to the Secretary of War, of August 29th, the President complained that "there has been too much intrigue in this business with General Washington and me." The correspondence which had passed between General Washington, the President, members of the cabinet, John Jay, and others, can hardly be called an "intrigue." On all important public questions, in a government of the people, an interchange of sentiments among citizens and with their rulers, from the President down, is both legitimate and desirable. Washington, in his seclusion at Mount Vernon, earnestly solicited communications from Colonel Pickering, and sought them from others. President Adams, in his retirement at Quincy, undoubtedly conversed with his neighbor, General Lincoln, who warmly espoused the cause of Knox, and with the large number of persons who visited him there, including some not, at heart, friendly to the administration. Whatever intrigue existed was on both sides. But it was a rightful transference of opinions, not to be stigmatized, but such as naturally and freely may be carried on in a republic. The truth is that Washington, Adams, Knox, and all others concerned, held honest though different opinions; and whatever strong expressions may have been used were excusable, and to have been expected among men of decided views and deeply sensible of the importance of the crisis. The President was averse to the elevation of Hamilton; Washington, upon mature reflection, regarded it as essential in the event of a formidable invasion; so did Jay, and Pickering, with his associates in the cabinet.

Knox happened to look at the question, as a military veteran would be likely to, and as it was feared Pinckney would. As a Major-General of the Revolution, always at the head of what in later days has come to be recognized as the most important branch of an army, and President Washington's first Secretary of War, it was not strange that the old soldier was roused. He felt bound by military honor to take the ground he did, making thereby a great personal sacrifice; for the state of his affairs at that time rendered the tendered appointment most desirable, and his tastes and instincts would have found delight in the service. All that the historian has to see in the matter are differences of opinion. These are the only facts in the case. Such differences of opinion constituted difficulties, to be encountered and disposed of, not to be regarded with offence or as at all criminal. This, however, is a view which disputants never take. Hence the vehemence and bitterness of all controversies, then and now, not only in civil or military administration, but in politics, theology, and all other subjects.

The extraordinary estimation in which Hamilton was held, as the man to stand next to Washington, in the portentous prospect then threatening the country, was well founded. The comprehensiveness of his discernment, the accuracy of his judgments, and the celerity of his mental operations, noticed by those immediately connected with him in military affairs during the Revolution, are also seen on a close inspection of the productions of his pen, and, rather than any attractiveness of style, contributed to his reputation as a statesman. The power of quickly analyzing the elements of a com-

plicated subject, of reducing confused details into order, and grasping a wide field of contemplation at a glance, are properties that make a great General. The repulsion of an invading power, at any and all points of a long-extended coast, or the handling of separated masses of troops over a vast territory, and bringing them severally or jointly to the required point, depend upon such qualities in the commanding chief. It was felt that as the closest associate, substitute, or successor of Washington, the safety of America demanded that the services of the man eminently possessed of them should be secured.

The President at last yielded to the force of opinions and circumstances, and the difficulty was terminated. It was unfortunate, however, for the party of the administration that it ever occurred. It must be borne in mind that, while the struggle was going on, the spirit of Mr. Adams was under a burden, which weighed upon him with a disturbing and crushing effect. Few men have been more blessed than he was in the companion of his life, and no man ever more fully appreciated the blessing. Writing, October 22d, from Quincy, to the Secretary of War, he says:—

“ If I could have been at Philadelphia to receive him, I should have invited General Washington to that city long ago. I cannot go to that city nor to Trenton very soon. Mrs. Adams’s health is so low, and her life so precarious, that it will be impossible for me to force myself away from her till the last moment. The last has been the most gloomy summer of my life, and the prospect of the winter is more dismal still; for, if I should not have a more melancholy separation to endure before I set out for the southward, I must then leave my family here and pass a dreary winter alone at the

seat of government. At all events, however, I must be at the opening of Congress, or give up."

Writing to Washington a fortnight before, he said:—

"I hope your own health and Mrs. Washington's are perfect. Mine is very indifferent, and Mrs. Adams's extremely low. Confined to the bed of sickness for two months, her destiny is still very precarious, and mine in consequence of it."

The supporters of Mr. Adams's administration were much disturbed and disconcerted, and its opponents elated, by his instituting a mission to France in the spring of 1799. His declaration, in a message, to both Houses of Congress, of the 21st of June, 1798, that he would "never send another Minister to France without assurances that he will be received, respected, and honored, as the representative of a great, free, powerful, and independent nation," had electrified the whole country. The long-continued aggressions and outrages of the French: their repeated insults to the United States in insolent treatment of its Ambassadors; ordering them out of the country, and, last and worst of all, putting it on the ground that those Ambassadors belonged to the party in the United States in administration of the government whose commission they bore,—roused the spirit of the American people to the highest pitch; and, in making the above declaration, the President rallied to his support the strength, the courage, the resources of the nation, such as no executive magistrate, before or since, has more largely enjoyed.

On the 28th of January, 1799, a message to both houses, and another on the 15th of February, breathed the same spirit. Three days after the last, on the 18th

of February, he sent to the Senate the nomination of William Vans Murray, Resident Minister at the Hague, "to be Minister Plenipotentiary of the United States to the French republic."

No overture or approach had been made directly to the United States or its Minister Plenipotentiary at any foreign court; but it had come by a circuitous route, in a letter from Talleyrand to the Secretary of Legation of the French embassy at the Hague, to be by him communicated to the American Minister resident at that court, and through him transmitted to the government of the United States.

Great was the public astonishment at this act of the President. Washington, writing to Colonel Pickering, March 3d, 1799, said: —

"The unexpectedness of the event communicated in your letter of the 21st ultimo did, as you may suppose, surprise me not a little. But far, very far indeed, was this surprise short of what I experienced the next day, when by a very intelligent gentleman (immediately from Philadelphia) I was informed that there had been no *direct* overture from the government of France to that of the United States for a negotiation. On the contrary, that Mr. Talleyrand was playing the same loose and round-about game he had attempted the year before with our Envoys and which, as in that case, might mean any thing or nothing, as would subserve his purposes best.

Had we approached the antechamber of this gentleman when he opened the door to us, and *there* waited for a formal invitation into the interior, the governments would have met upon equal ground; and we might have advanced or receded, according to circumstances, without commitment. In plainer words, had we said to Mr. Talleyrand, through the channel of his communication, we still are, as we always have been, ready to settle, by fair negotiation, all differences between

the two nations, upon open, just, and honorable terms ; and it rests with the Directory (after the indignities with which *our* attempts to effect this have been treated, if they are equally sincere) to come forward, in an unequivocal manner, and prove it by their acts.

“ Such conduct would have shown a dignified willingness on our part to negotiate, and would have tested their sincerity on the other. Under my present view of the subject, this would have been the course I should have pursued ; keeping equally in view the horrors of war and the dignity of the government.

“ But, not being acquainted with all the information, and the motives which induced the measure, I may have taken a wrong impression, and, therefore, shall say nothing further on the subject at present.”

Writing on this subject many years afterwards, Colonel Pickering describes the popular feeling at that time. Referring to the act of Congress for raising the provisional army, he says : “ The troops were raised, and the spirit of the nation was roused to resistance against the outrages of France ; and Mr. Adams, in his vigorous answers to the numerous addresses presented to him, enforced by the weight of his high official station as President of the United States, contributed, doubtless, more than any other man, to elevate the temper of the nation to that resistance.” He says that “ our naval successes,” and “ the rising glory of the nation,” in “ daring to resist the aggressions of the great and overbearing and insolent French republic,—a noble resistance,—excited the admiration of Europe.”

While “ the temper of the nation ” was at this point, it is natural that the nomination of a Minister to the French republic should have caused a general sensation, and particularly shocked the party sustaining the govern-

ment. It was entirely unlooked for, and took everybody by surprise. The President had not consulted his cabinet, nor given any intimation of his purpose to either of its members, or to any persons in Congress, at least of the Federal party. Colonel Pickering states that "every Federalist was astonished. Among others, Garrison Gray Otis (then a member of the House of Representatives) came over to my office and asked, 'How is all this? the nomination of Mr. Murray to treat with the French republic?' 'I know nothing of it,' said I, 'but the fact I hear that the President has so nominated him.' 'Why, is the man mad?' said Mr. Otis." Colonel Pickering states, "I was informed at the time, by some members of the Senate, that the nomination would have been at once negatived, but for some of the President's Federal friends, who engaged to see him, in the hope of inducing him to abandon the project. This he would not do."

One of the Senators who took an active part in this affair, wrote, January 1st, 1822, to Colonel Pickering an account of it, prefacing it with this remark, "so many years have elapsed since the occurrence I shall relate, that I cannot be answerable for more than the substance, and *some remarkable expressions*, which made an impression on my mind as quite illustrative of the personal character of Mr. A., who, with some great points of character, did certainly mingle others of a more common cast, especially when touched in his own person or that of any member of his family." He then gives this relation of the transaction:—

"It was, I think, in the winter session of 1799, that the President nominated Mr. W. V. Murray as sole Minister to

negotiate with the French government. This step was taken without the knowledge of any Federal member of the Senate, and we were perfectly astonished at it. It was considered as a degrading measure, as abandoning the ground he himself had recently taken, and even as a public relinquishment of the principles acted upon by the whole Federal party in relation to France. The sensation it excited was so great that a meeting of the Federal members of the Senate (then composing a great majority) was called to consider what line of conduct we ought to pursue on so important a measure. A full meeting was held on the evening of the day of nomination, when we came to an almost unanimous resolution to negative the nomination, unless the President could be prevailed on to recall or modify it. To endeavour to bring this about, it was thought best to commit the nomination when it should be called up the next day, and accordingly it was committed to Messrs. Bingham, Read, Sedgwick, Ross, and Stockton. The committee met as soon as the Senate adjourned, and directed their chairman to address a respectful note to the President, expressing a wish that he would permit them to wait upon and converse with him on the subject of the nomination. An answer was immediately returned, that the President would be happy to see us, as *gentlemen*, at his house, at seven that evening. The whole committee waited on him at the appointed hour; and, as the door of the presence-room was opened by the servant, the President rose from his seat and advanced to the door as we entered, and instantly said, ‘Gentlemen, I am glad to see you, as friends, and members of the Senate; but, as a committee, interfering, as I think you are, with my executive duties, I cannot consent to receive you, and I protest against all such interference. I have a duty to execute, and so have you. I know, and shall do mine, and want neither your opinion nor aid in its execution.’ Then, and not till then, he asked us to be seated. His manner was that of a gentleman not well pleased addressing gentlemen whom he meant to rebuke; and there was something of passion, and of conscious superiority, as I thought, in all that he said. Mr. Bingham, for the committee, said that we had not the most distant idea of

interfering with his official powers or duties, but that it was out of pure regard and respect for them that we had requested the interview; that a difference of opinion between the President and Senate, upon such a measure, would be lamented by all the friends of his administration; and it was only to avoid this that the committee had requested the interview. As this was an intimation that the nomination would possibly be rejected, he became somewhat warm, and, as I thought, more off his guard than usual. He continued, 'Well, then, gentlemen, if you are determined to interfere in diplomatic affairs, reject Mr. Murray. You have the power to do this, and you may do it; but it is upon your own responsibility.' One of the committee then observed that the circumstance of sending a Minister to *France*, so soon after his resolution communicated to both houses that he would send none until he had received satisfaction for the insults already received, would be considered as an act of humiliation, and that, if France was sincere, she would send a Minister to us. The President said, with warmth, 'Here you are all wrong, gentlemen. I know more of diplomatic forms than all of you. It was in France that we received the insult, and in France I am determined that we shall receive the reparation.' It was then observed that to send a single man, and one who had been absent from the country for some time, and could not know the state of public feeling, after three of our first men had been sent home, appeared to be abandoning our ground; and it was suggested to the President whether he could not modify the nomination by adding two more names to it (this was by Mr. Sedgwick). The President replied, 'Who would you have me send? Shall I send Thoph Parsons, or some other of your Essex rulers? No; I will send none of them,' and rejected the tender of compromise with great decision.

"Finding that nothing could be done, the committee were preparing to depart, when it was more distinctly stated that the nomination, as it then stood, would be rejected by the Senate. Upon which the President said, with some agitation, that he found there was a party who were determined to rule him, but he would disappoint them; that none had done more to support General Washington than he and his family.

‘Yes,’ added he, ‘have you already, so soon, forgotten what it was which had roused the people to support General Washington against Genet? I will tell you, if you have. It was the publication of my son, John Quincy Adams, which caused the people to rally round the government.’ The committee then withdrew. They met next day, and agreed upon a report, advising the rejection of the nomination.

“Some of the committee, particularly Read and Sedgwick, were much offended at the President’s manner; and so expressed themselves in the street as soon as we left the house. Ross and I laughed, being much diverted at the passion the old gentleman had put himself in for our attempting to help him out of a scrape.”

Another member of the committee, writing to Colonel Pickering, February 5th, 1822, says:—

“The committee called upon the President; were politely and respectfully received; the business and its difficulties stated. The President replied, in explanation, with good temper; until, in the course of discussion, Mr. Sedgwick dropped an unfortunate insinuation that Mr. Gerry had some agency in producing the nomination. This roused the President into excessive passion, and rendered the remaining portion of our interview painful and altogether useless.

“Before parting, however, the committee distinctly stated to the President that there was much reason to apprehend the negative of the Senate, unless the nomination should be so altered as to embrace more of the confidence of the country. He pronounced us utterly mistaken in this anticipation, as he knew the Senate longer and better than any of us, and was very certain of its support in his measures.

“The committee departed, and, on the same evening, called together all the Federal Senators, and reported every thing that had occurred. There was an unanimous opinion that the nomination, unless new modelled, should be rejected. But two or three expressed a desire that we might wait a few days, and give the President time to reflect. This proposal was negatived. And, on the succeeding morning, the commit-

tee of five assembled early, and prepared a report recommending the rejection of the nomination of Mr. Murray.

“ Such is the true, uncolored outline of this memorable proceeding, which began the breach between Mr. Adams and his political friends in the Senate. I shall only add my own belief, that, if Sedgwick had abstained from mentioning Gerry (and he was previously warned not to do it), there would have been little, if any, exhibition of passion by Mr. Adams.

“ After witnessing what then passed, I confess that my own confidence in the discretion of the chief magistrate was so impaired as to lose the hope of going on with proper cordiality thereafter.”

Colonel Pickering, in his account of this affair, mentions the fact that “ Oliver Ellsworth, Chief-Justice of the United States, was then in Philadelphia (I believe attending the session of the Supreme Court);” and proceeds to say that “ Mr. Adams— eight years Vice-President and President of the Senate— had long witnessed the great talents, and well knew the weight, of Mr. Ellsworth’s character when he was a member of that body; and it was hoped that he might have influence enough with the President to persuade him to abandon the project.” To accomplish this object, and in compliance with the wishes of the Federal Senators, Judge Ellsworth sought an interview with the President, the result of which was that the President yielded to the alternative request that had been made by the committee, and agreed to remodel the mission “ so as to embrace more of the confidence of the country,” insisting, however, upon putting Ellsworth at the head of it. Accordingly, on the 25th of February, 1799, he sent to the Senate the nominations of Oliver Ellsworth, Patrick Henry, and William Vans Murray as Envoys Extraordinary and Ministers Plenipotentiary to the French republic. The message reached the

Senate just as the committee were about to present an adverse report on the nomination as made seven days before. The President, in his message conveying the joint nominations, gives as the reason for the act,—“much conversation,” and “many manifestations of the public opinion,” leading him to the belief that “a new modification of the embassy will give more general satisfaction to the legislature and to the nation.”

William R. Davie, having been appointed in the place of Patrick Henry, joined Oliver Ellsworth; and they embarked at Newport, Rhode Island, on the 3d of November. Touching at Lisbon, they heard of another revolution in France. The Directory and the republic, all but in name, had passed away, and Bonaparte, as First Consul, come to the head of affairs. After many delays, the three Envoys met at Paris on the 2d of March, 1800. On the 16th of May, they received instructions, dated February 14th, 1800, from Colonel Pickering, Secretary of State, that “the circumstance of their letters of credence being addressed to the late ‘executive Directory,’ need not prevent or impede the proposed negotiation, provided the existing government in France are inclined to enter upon it, and to conclude a treaty.” Bonaparte, having his thoughts elsewhere directed, was quite willing to dispose of matters of controversy with America. He appointed a commission, at the head of which was his brother Joseph, to treat with the Envoys. The result was “a convention” between “the Premier Consul of the French Republic and the President of the United States,” “done at Paris on the 30th day of September, 1800.”

The second article of this “convention” was as follows:—

“ The Ministers Plenipotentiary of the two parties not being able to agree, *at present*, respecting the treaty of alliance of 6th February, 1778; the treaty of amity and commerce of the same date; and the convention of the 14th of November, 1788, nor upon *the indemnities mutually due and claimed*, — the parties will *negotiate further on these subjects at a convenient time*; and, until they may have agreed upon these points, the said treaties and conventions shall have no operation, and the relations of the two countries shall be regulated as follows.”

The Senate of the United States, February 3d, 1801, consented to and advised the ratification of the convention, “ provided that the second article be expunged,” and an article be added that “ the present convention shall be in force for the term of eight years from the exchange of the ratifications.” The reasons that led the Senate to this action were not explained. The second article kept alive the claims for indemnification, and pledged the parties to an adjustment of them at a future and convenient time. It also released the United States from embarrassments and obligations growing out of the former treaties mentioned.

President Adams, in a message to the Senate, March 2d, 1801, informing that body that he had ratified the convention, strongly expressed his regret that the second article was required to be expunged, and left the subject to be proceeded with by his successor, “ according to his wisdom.”

Bonaparte, in the instrument containing his ratification of the convention, dated July 31st, 1801, says: —

“ The government of the United States, having added to its ratification that the convention should be in force for the space of eight years, and having omitted the second article, the government of the French republic consents to accept, ratify, and confirm the above convention, with the addition

importing that the convention shall be in force for the space of eight years, and with the retrenchment of the second article ; provided that, by this retrenchment, the two states *renounce the respective pretensions* which are the object of the said article."

President Jefferson having laid before the Senate of the United States the ratification in the manner just described by Bonaparte, that body, on the 19th of December, 1801, resolved " that they considered the said convention, as fully ratified," and proclamation to that effect was made by the President of the United States two days afterwards.

In this way, the claims of citizens of the United States against France, claims which their own government always declared to be just,—to secure or compel the payment of which it had gone, not merely to the edge, but into the first stages, of a war with that nation,—were for ever cut off by acts of the Senate of the United States and of the President indorsing the renunciation of them. The American government not only sacrificed the rights of its own citizens, but appropriated them to its own benefit, in sheltering itself from claims brought against it by French citizens. To obtain a treaty with France, it took away all possibility of indemnity for spoliations committed upon American vessels and cargoes. If ever private property was seized for public purposes, it was in this instance ; and, however long it may be deferred, there will always be an obligation upon the United States to recognize the just foundation of what are called the " French claims."

Of the propriety and wisdom of this mission to France, there will probably always be differences of opinion. If the Directory had remained in power, it is doubtful

whether any treaty that would have been satisfactory to the United States could have been negotiated. Talleyrand's overtures might have been designed to accomplish an object he had constantly in view,— to strengthen the party in the United States which he believed to be especially favorable to France, and which his agents called the French party. At any rate, the acceptance of those overtures produced that effect. It gave a check and a shock to the rising temper of the people of the United States, which was bearing the Federal party into decided ascendancy, to repel the aggressions and the insults of France. The subsidence of this national spirit, on the renewal of negotiations with the Directory, was a vital blow to the strength of the Federal administration.

President Adams did not see it in this light. Concurring with Washington in the conviction that it would be perilous in the last degree, and probably fatal, to the United States to take part on either side in the great European war ; and, not surely knowing but that the professions of Talleyrand were sincere, he was, perhaps, over-anxious and precipitate in adopting a measure that promised peace ; and, as the provisional army had not been organized to suit him, he might have been particularly pleased with the prospect of avoiding occasion to call it out.

The circumstances attending his interview with the committee of the Senate illustrate those peculiarities of his manner and temperament which often left unfavorable impressions upon others. He was very sensitive to the charge of being under the influence of individuals or parties. At that time he was subject to the imputation of being controlled by those who were in the interest

of France. Hence his passionate resentment of the intimation as to Mr. Gerry. The indiscreet and inconsiderate vehemence of his expressions were gusts of temper, suddenly excited and soon over. They passed like clouds across the landscape, generally leaving no traces behind. Though positively and violently refusing to do what the committee urged, hardly a day intervened before he complied with their views.

Another cause of great dissatisfaction given to his political friends, and generally regarded with surprise and disapproval, was the pardon of John Fries, one of the leaders of an insurrection in Pennsylvania to prevent by force the execution of the laws of Congress levying taxes for the support of government. He was taken in arms, and was convicted of treason by a Pennsylvania jury in the United States court, Judge Iredell of the supreme bench of that court presiding. A new trial having been procured, he was again convicted, Judge Chase of the Supreme Court presiding, and Judge Peters of the United States District Court of Pennsylvania, also sitting at each trial with the supreme Judge. The leading counsel for Fries, William Lewis, persisted in objecting to the proceedings, on the ground that the offence did not amount to treason. Representations to this effect were made to the President, and he was induced to grant a pardon.

The fact that this was a second insurrection on a large scale in Pennsylvania; that the circumstances were of an aggravated nature; that the prisoner had been allowed a repeated trial, and been convicted by two juries in his own State; and that there was no question as to his guilt,— made his pardon an occasion of great surprise and

astonishment. Political motives were alleged to have effected it, and much exasperation was felt and expressed. It must be remembered in justification or palliation of the President's act that, as Colonel Pickering on another occasion stated, Mr. Lewis had no superior as a lawyer in Pennsylvania. It was not extraordinary that his opinion should have had great weight with the President. Looking back to the early organized resistances to the law in Pennsylvania and elsewhere, there must be a general sense of gratification that clemency was extended, and the execution of the penalty of death avoided.

About this time, and on the eve of a presidential election, President Adams dismissed Colonel Pickering from office as Secretary of State, and, not many days after, James McHenry the Secretary of War. The relations existing between the President and the former, while his Secretary of State, will be described in the next chapter.

The operation of various disturbing causes, some of which have now been described, was dangerously weakening the Federal party. A short time before the choice of electors, General Hamilton published a powerful "Letter" entitled "The public conduct and character of John Adams, Esq., President of the United States," and a very unfavorable feeling widely spread. In addition to all this there was a jealous and suspicious element in the party, working mischievous effects.

The original provision of the Constitution relating to the manner of choosing a President and Vice-President being then in force, each elector was to vote for two persons. He who had received votes amounting to a majority of the whole number of electors was to be

President, and the one having the next highest number was to be Vice-President.

National parties having come into existence, electors belonging to them respectively were expected to vote for the two persons whom their party desired to have for President and Vice-President. They were not allowed to make any distinction between them; and if those for whom they thus voted should be found, as it was likely they would be, to have an equal number of votes, and a majority of the whole number of electors, the House of Representatives was, in the manner prescribed, to elect one of them for President, the other becoming Vice-President. The electors were constrained to vote for them both; otherwise, from the nearly equal division of parties, one or both of the candidates of the opposite party might have a larger aggregate vote and be chosen.

The Democratic party in the then approaching election were of one mind, all having in view Thomas Jefferson for President and Aaron Burr for Vice-President; and, to be sure of electing them, every Democratic elector voted for them both. Their aggregate vote was equal. It was not imagined by the Democratic party that the House of Representatives, when deciding between them, would disturb the order in which the people choosing them desired to have them placed.

It was generally understood that the Federalists were inclined to re-elect Mr. Adams to the Presidency, and to have General Charles Cotesworth Pinckney of South Carolina for Vice-President. But a considerable number of influential persons in the Federal party, particularly such as had become dissatisfied with Mr. Adams, insisted that the electors chosen as Federalists should all

vote for Pinckney as well as Adams; so that if the votes for them constituted a majority they should go before the House of Representatives as equals, standing on the same level before that body, which should be considered as having a full and free right to make either of them President.

Hamilton's "Letter" on "the public conduct" of John Adams begins thus: "Some of the warm personal friends of Mr. Adams are taking unwearied pains to disparage the motives of those Federalists who advocate the equal support of General Pinckney at the approaching election of President and Vice-President," while the whole tenor of the Letter is adverse to the re-election of Mr. Adams to the Presidency. Federalists in South Carolina naturally claimed for their honored and favorite fellow-citizen that the House of Representatives should, if they saw fit, give its preference to him. A very sensitive feeling grew up from this cause. Mistrust became widely spread. In a close election, there was a risk in withholding a vote from either of the joint candidates. It was obvious that were a single elector to divert his vote from either of them, and his party have a majority in the electoral vote, it would, avoiding the intervention of the House of Representatives, elect the other to the Presidency. This dangerous game could be practised on either side. There was fear that it might be done. The prevalence of this fear among the friends of Adams and Pinckney had a damaging effect; and, as it caused the loss, as was thought, of the State of South Carolina, it proved a fatal one. Had it not been for the jealousies and evil surmises arising from this one source, the Federal party, notwithstanding the dissatisfactions described

in this chapter, would probably have succeeded in the election, and its control over the government of the United States been indefinitely prolonged.

At the preceding presidential election John Adams received seventy-one votes, and Thomas Jefferson sixty-eight. Mr. Adams's majority was derived from a single vote in each of the electoral colleges of North Carolina, Virginia, and Pennsylvania. New York gave him its entire vote, twelve. The parties were then quite evenly balanced. At the election in 1800, New York gave its entire vote to Jefferson. Notwithstanding this, Mr. Adams would have been re-elected, had General Pinckney's own State given its entire or a preponderating vote to the two Federal candidates. The electoral votes from all the other States were sixty-five for Adams, Jefferson, and Burr each, sixty-four for Pinckney, and one for John Jay,—a Federal elector in Rhode Island having diverted one of his votes from Pinckney to Jay. If South Carolina (as Maryland did at the same election) had divided her vote equally among the four regular candidates of the two parties, the aggregate votes of the electors of all the States would have been sixty-nine for Adams, Jefferson, and Burr each, sixty-eight for Pinckney, and one for Jay. Seventy was necessary for a choice. As the Constitution then stood, the "five highest on the list" would have been submitted to the House of Representatives. Jay would have been a constitutional candidate, and might have been elected President. As it was, if a single Democratic elector had diverted a vote from Jefferson, Burr would have been President.

Indeed, one of the most remarkable points in the history of parties in the United States is the dependence

of the political fortunes of the country on the electoral vote of South Carolina in 1800. Every thing hung wavering in the balance. There was undoubtedly a strong preponderance in that State on party grounds in favor of the Democratic ticket; but so great was the regard, in which all shared, in his native State for General Pinckney, and so powerful his influence, that, had it not been for the divisions and mistrusts pervading the Federal party, it is not unlikely that the electoral votes of that State would have been cast for him and Adams, which, as the figures just given show, would have elected them. If South Carolina had given her eight votes for Pinckney he would have been President, and her other eight votes — had they been divided between Jefferson, Adams, and Burr — would have made one or the other Vice-President. It was actually proposed to give her eight votes to Jefferson and Pinckney each, which would have made the former President and the latter Vice-President. But as the several electoral colleges voted on the same day in places widely distant from each other, and a want of confidence among Federal leaders destroyed all the means of making any reliable arrangements or understandings, nothing was done to secure to South Carolina the opportunity within its reach. Its electoral vote was solid for Jefferson and Burr. Pinckney was abandoned, and the country given over for a half-century to the Democratic party. Its history to this day displays the consequences. The public life of John Adams was closed, and the Federal party sunk to rise no more.

A retrospect of the troubles during the administration of John Adams leaves an impression on the mind that the one great mistake in his political life was suffering him-

self to be a candidate for re-election. If, when assuming office, as the immediate successor of Washington, he had recognized the circumstances that had led the people to demand, and Washington to consent to, a second period of service, and which made that case peculiar ; if he had announced that the father of his country in that particular ought for ever to stand alone ; and, on that ground, declined a re-election,—the ONE-TERM principle would have become established as the political common law of the country. The Presidents of the United States would ever after have been free from the greatest distraction of their office. Lifted above popular passions, and placed beyond the reach of the intrigues and dissensions of party, they would have been able to discharge their high duties in serenity of mind, with no other ambition than to promote the welfare of the country, and to leave an honorable record behind them.

As for himself, it would have secured the tranquillity and enhanced the glory of his administration. The happiness of his life while in the office, and ever after through the prolonged years of his venerable and venerated retirement, would have been infinitely increased, and not a cloud have passed over the memory of his invaluable services, or its shadow fallen on his great name in the history of the country.

CHAPTER XII.

The Relations between John Adams, President of the United States, and Timothy Pickering, Secretary of State.—William Stephens Smith.—Answer to an Address to the President from the Freeholders of Prince Edward County, Virginia.—Adams dismisses Pickering from Office.—Their Characters and Lives.

1797-1800.

THE dismission of Colonel Pickering from the office of Secretary of State by President Adams is a passage in the political history of the country to a great degree unexplained, perhaps inexplicable. The circumstances, time, and manner of it created much surprise. Documents and correspondence adduced in preceding chapters show that Mr Adams had a high opinion of his talents and judgment, and sought his advice and co-operation as of a friend. Some additional evidence of a good understanding between them will now be given.

On the 14th of May, 1797, the President addressed a letter to members of his cabinet on the subject of the existing relations with France. That to the Secretary of State requested him to take into his consideration fourteen questions, chiefly to the point whether, at that time, further negotiations ought to be attempted, and what should be the provisions of a treaty with France if negotiations should be opened. Colonel Pickering's reply, dated May 1st, covers nearly twenty pages; in it he favors further negotiation in that stage of affairs, and discusses at length, with great ability and in an ex-

haustive manner, all the topics included in the President's questions.

On the 4th of September, 1797, Mr. Adams, writing from Quincy to Colonel Pickering, said:—

“ I have received your letter of August 24th, and pray you to keep the packet from Sir John Sinclair till my return. This agricultural patriot and hero has sent me letters and packets for seven years, not one of which have I answered, but still he perseveres. I am not much charmed with the honor of being elected a member of any society in Europe, especially in England, at this crisis; but it is owing to no fault of mine, and therefore my conscience is clear.

“ You are much in the right to remove your family and yourself as much as possible out of danger of infection. Have a care of yourself. Your country can't spare you at present.”

The manner in which the President consulted with Colonel Pickering in making appointments to office shows the respect he had for his judgment. A vacancy having occurred in the office of Treasurer of the Mint by the death of the incumbent, the President, writing to Colonel Pickering from Quincy, September 18th, 1797, says:—

“ It was not till last night that I received your favors of the 5th of the month.

“ I am happy to learn that your family and office are removed to Trenton, which I hope will prove a place of safety from the contagion of the plague of Philadelphia; as it is a well-chosen situation for the business of your office.

“ Dr. Way I knew not; but his character is such as excites a deep regret for his death.

“ Dr. David Jackson I know, and, as a man, esteem him.

“ Mr. Jonathan Williams I have known from his youth. I knew him in France,—at Paris and at Nantes. I had trouble enough on his account with Mr. Lee and Mr. Izard; but, as I believed him to have justice on his side, I protected him from much mischief. How he has requited me I have never

inquired. Insinuations have not been wanting. But these have made no impression. I believe him capable, and, upon the whole, ingenuous.

“ Dr. Rush I have known, esteemed, and loved, these three and twenty years. His learning and ingenuity are respectable, and his public and private virtues amiable. His services, from the beginning of our great Revolution, were conspicuous and meritorious. He had no small share in recommending our present Constitution, and might be eminently useful to the present administration.

“ Applications and recommendations have been transmitted to me from several other candidates. I shall enclose them with this, that you may weigh them.

“ Mr John Knapp, of Maryland, but now in Philadelphia or its neighborhood, is recommended by the Senators of Maryland, and by the *first* characters in that State, and, among the rest, by Mr. Charles Carroll, of Carrollton.

“ The late Speaker of the House of Representatives, Frederick Augustus Muhlenburg, by a letter to me of the 8th of this month, offers himself as a candidate. A series of misfortunes to a son-in-law, occasioned by French captures, have affected him very materially.

“ William Mumford, Esq., of Philadelphia, formerly of Rhode Island, is recommended by Mr. Foster, Mr Bourne, Mr. Ward, in strong terms.

“ Mr. James Armstrong, a clergyman, I believe, of Trenton, claims something like a promise, or at least encouragement, from Colonel Hamilton while he was in office.

“ I pray you, Sir, to consider all these characters and their pretensions, and give me your advice. I have myself considered them all with attention, and I hope my judgment is not too much influenced by my affections, if it leans in favor of Dr. Rush. If your opinion is clearly with mine, you may make out his commission as soon as you please. But, if you have any doubts, we will delay the appointment for further consideration.”

The foregoing letter shows in what an excellent spirit Mr. Adams encountered one of the most perplexing

exigencies of his office, and with what entire and cordial respect he sought advice from his Secretary of State. Writing to Colonel Pickering, October 2d, 1797, he says: “The applications for the Treasury of the Mint are so numerous and respectable, that whoever obtains it ought to think himself highly honored by his competitors, if not by his appointment. My prevailing opinion, which I have before intimated to you, is not altered.”

On the 16th of September, 1797, Colonel Pickering, in a letter to the President, said: —

“I have the honor to enclose the celebrated speech of Pastoret, in the Council of Five Hundred, concerning the subsisting relations between France and the United States. I have had it translated, and it will be published in the beginning of the ensuing week in Fenno’s newspaper.”

The President, in reply, writing from Quincy, September 22d, says: —

“I have received your favor of the 16th. The speech of Pastoret I had before received, by two conveyances from France, from an old acquaintance, whom I had not heard from before for thirteen years.

“The applications from Dr. Hall and General Miller, as well as that of Colonel Francis Nichols, mentioned in your letter of the 12th; and those of Mr. Huger and Dr. Conover mentioned in your two letters of the 9th; and that of Mr. Caldwell and Mr. Armstrong, — must be all considered.

“I shall return to you all the letters of recommendation, that you may file them all together, consider them maturely, and return them to me when we meet. I still incline to Dr. Rush. There is an application in favor of Mr. James Sykes of Dover, which is enclosed with the rest.

“Will it be necessary to convene Congress at any other place than Philadelphia? and will New York be the best place? Pray give me your opinion.

“Will you also commit to writing the communications which ought to be made to Congress at the opening of the session ?”

The appointment, which the President and Secretary had so long under careful and faithful consideration, was given to Dr. Rush.

In conformity with the President’s request, Colonel Pickering drew up a paper, dated November 2d, presenting his views as to certain matters which appeared to him proper to be presented by the President to Congress at the opening of its approaching session. The President, in his speech on that occasion, November 23d, adopted, without any considerable alteration, what the Secretary had suggested. About one third part of the speech was composed of passages from Colonel Pickering’s letter of the 2d of November, omitting a few clauses, but retaining its paragraphs generally, and its phraseology, in their original shape..

During the first year of Mr. Adams’s administration, that is in 1797, the correspondence and documents demonstrate that there was the most cordial good feeling between him and his Secretary of State, and that the former had the highest opinion of the abilities, judgment, and services of the latter.

It is remarkable that in this year, during which no difference of opinion arose upon public questions, the only passage at all unpleasant that *ever* occurred between them took place. Colonel Pickering, writing twenty-seven years afterwards, says, “Once for all, I affirm that, in my various interviews with Mr Adams, there was never a *single instance of passion on my part* (I had a higher sense of the decorum proper to be observed

towards the President of the United States); and, what is not a little remarkable, *but one on his*, and this on an occasion which would not have produced in any other man the smallest emotion."

Colonel Pickering explained the occurrence thus:—

"In 1794, John Q. Adams was appointed Minister Resident of the United States at the Hague. Just before General Washington's last Presidency expired, he raised J. Q. Adams to the higher grade of Minister Plenipotentiary to Portugal. But his father soon succeeding to the office of President, changed the son's destination from Portugal to Prussia. In making out a new commission, I called him, *late Minister Resident of the United States at the Hague*; doubting whether it would be correct to call him *late Minister Plenipotentiary of the United States at the court of Lisbon*, seeing that, not having gone thither, of course he had not been received in that character. I concluded, however, to submit the draught to his father, to be approved or altered, as he pleased. He read on till he came to 'late Minister Resident of the United States at the Hague,' when he burst into a passion, and with a loud and rapid voice exclaimed, 'Not *late* Minister Resident at the Hague, but *late* Minister Plenipotentiary of the United States to the court of Lisbon, to which office he was appointed by General Washington,—not by me,—and so he shall be called.' Then, lowering his tone, but speaking with earnestness, he added: 'I am sorry that my son ever went abroad as a Minister: I wish he had stayed at home; for there was not a pen in the United States of which the Jacobins were so much afraid as of my son's.'"

This anecdote is quite illustrative of Mr. Adams's character. Looking back, over an interval of more than a quarter of a century, through the refracting medium of the animosities that had in the mean time risen between them, Colonel Pickering used the expression, "burst into a passion." In this, as in numerous other instances which have led even those most inclined

to honor and venerate the name of John Adams to speak of him as a very passionate man; while the imputation to a certain extent is true, justice to his memory requires that it be taken in a modified sense. Yielding to sudden impressions, he gave utterance without reserve, and in vehement language and tones, to the feeling of the moment; but his anger was often as transitory as it was inconsiderate. In the case just described, it was a mere surface gust, followed by a subdued, plaintive, and regretful strain. Both the "burst of passion," and the almost self-reproach that immediately succeeded, were groundless eccentricities of emotion, equally whimsical and ridiculous. Nothing could be more absurd — when it is considered that John Quincy Adams had then already become distinguished in a diplomatic career, which in length, variety, brilliancy, and importance, has never been paralleled, and which led him to the highest post in the government of his country — than for his father to have been "sorry" that he had not "stayed at home," and spent his life as a partisan newspaper correspondent and controversial political pamphleteer!

It is certain that the ebullition of resentment, because his son had not been denominated in the document "Minister Plenipotentiary" to Portugal, could not have been seriously designed to reprove Colonel Pickering, who, as Mr. Adams must have known, had not long before strongly advised President Washington to appoint John Quincy Adams to that high grade at a much more conspicuous and elevated station, — that of the court of France.

No offence was intended to be given, and none was taken at the time.

In the year 1798, some differences of opinion arose between President Adams and Colonel Pickering on a point in which they were each deeply interested, but which does not seem to have produced any actual alienation or disturbance of free, pleasant, and confiding intercourse between them, as the contemporaneous correspondence, now to be adduced, abundantly proves.

It will be well first to state that the matter in which the President and Secretary of State were at variance, as described in the foregoing chapter, was of a nature that would ordinarily be likely to cause alienation between men of less strength of character. They held absolutely conflicting opinions, and held them earnestly.

In organizing the provisional army, all desired that Washington should be the Commander-in-Chief. In case of his declining the service; or as, if he accepted the appointment, it was expected that he would not come into the field until actual invasion occurred or was known to be approaching,—it became a matter of prime importance to determine who should be next to him in command; and who, for a time, would in substance be Commander-in-Chief.

A publication of Colonel Pickering, in 1824, contains the following passage:—

“The following dialogue took place between Mr. Adams and me:—

“MR. ADAMS. ‘Whom shall we appoint Commander-in-Chief?’—‘Colonel Hamilton.’ Mr. Adams made no reply. On another day, he repeated the same question, and I gave him the same answer; he did not reply. On another day, he for the third time asked me, ‘Whom shall we appoint Commander-in-Chief?’ and the third time I answered, ‘Colonel Hamilton.’ ‘Oh, no!’ replied Mr. Adams, ‘it is not his turn

by a great deal. I would sooner appoint Gates or Lincoln or Morgan.' Instantly I rejoined to this effect: 'General Morgan is here, a member of Congress, now very sick, apparently with one foot in the grave; certainly a very brave and meritorious officer in our Revolutionary war; and perhaps his present sickness may be the consequence of the hardships and sufferings to which he was then subjected: but, if he were in full health, the command of a brigade would be deemed commensurate with his talents: As for Gates, he is now an old woman; and Lincoln is always asleep.' Mr. Adams made no reply."

In a note to this passage, Colonel Pickering says:—

"My remark on the military characters of the gentlemen named by Mr. Adams, whom he would prefer to Hamilton for the command of the army, may perhaps be thought not quite as respectful to the President of the United States as became the dignity of his station. But, if it was frankness in excess, it will at least show that I was not inclined to 'mask' my opinions. My remark was instantaneous, but calm. All my life long, I have been so accustomed freely to express my opinions that some of my friends have occasionally regretted that I was so little *reserved*, that I did not conceal my sentiments, when, though correct, they might give offence; in a word, that I did not sometimes wear a 'mask.' I meant no reproach to Lincoln. His lethargic habit was a constitutional infirmity. When I made the winter campaign in 1776-77, with the Massachusetts militia under his command, he told me that prior to the war, when he represented the town of Hingham in the legislature, he used to ride home (a distance then of sixteen to twenty miles) every Saturday night, on horseback, and commonly slept half the way. It was easy for him to fall asleep, at any time, when in a sitting posture. In other respects, he was a vigilant officer. But, at this time, he was a cripple from a wound received in the Revolutionary war, and of an advanced age."

In these interviews Mr. Adams exercised a remarkable restraint upon himself. So absolute an opinion in

favor of Hamilton could not but have been distasteful to him. The manner in which Colonel Pickering disposed of the Generals named was in Mr. Adams's own vein, and perhaps he was amused at it. The language of Colonel Pickering was such as would not have been used, had not he and the President, at that time, been on free, easy, and friendly terms.

William Stephens Smith, of New York, had served in the Revolutionary war, and was a deputy to Baron Steuben, Inspector-General of the army, and, at times, Aid to Generals Sullivan and Washington. When the old Congress appointed John Adams first Minister to Great Britain, Colonel Smith, on motion of Mr. McHenry, afterwards Secretary of War, was appointed Secretary of Legation at that court. He married Mr. Adams's only daughter. After the establishment of the Constitution of the United States, he went again to England; and was in communication with certain capitalists and wealthy persons, engaged in extensive speculations in American stocks and lands; and returning to New York as their agent, he became involved in large operations. The result, as that of similar enterprises, was unfortunate. Much blame was attached to Smith, who, however, appears to have reaped no benefit from the transactions.

In 1798, while the organization of the provisional army was in process, General Washington mentioned Colonel Smith as one of the Brigadiers; he also named him, after two others, as Adjutant-General. The President, in conversation with Colonel Pickering, after expressing the most exalted opinion of Smith's military talents, said he had concluded to nominate him Adju-

tant-General above the two others named by Washington, one of whom had served in that office in the Revolutionary war.

Not concurring in the estimate put by the President upon Colonel Smith's qualifications for the office, and remembering that he had heard some unfavorable statements of his connection with the business operations just alluded to, Colonel Pickering felt that it was a nomination not fit to be made. But the family relation in the case, and the attachment the President was known to cherish towards his son-in-law, precluded discussion. He went directly to Congress Hall, called out some Senators who were his particular friends, told them of the approaching nomination, and expressed his views on the subject. The Senate deferred action upon the nomination to the next day. In the mean time, some of the Senators, in an interview with the President, urged him to withdraw it; but he declined doing so, and it was rejected, only two or three Senators voting in its favor. Previous to the vote, Colonel Pickering had communicated, as he affirmed, with not more than half a dozen Senators, and they were all Federalists. It can hardly be said that his action occasioned that of the Senate. He considered, at the time, that he was exposing himself to the resentment of the President, and that his course might cost him his office. To some of his friends he remarked: "I have done only what I thought to be my duty, and am willing to abide the consequences."

Writing to John Jay, July 20th, he said:—

"I was rejoiced that the Senate had the fortitude to put so decided a negative on the President's nomination. I am aware the step I took was a delicate one, and even its propriety may perhaps be questioned. If the candidate in

question had not been so nearly connected with the President, and if the latter had not so peremptorily pronounced the eulogium of the former as a great military character, and in a tone to forbid any reply, it would have become me to have frankly stated my opinion. If, in taking the other course, I have done wrong, my motives, I hope, will make my apology with you, and some others whose good opinions are peculiarly dear to me."

Replying, July 26th, Mr. Jay says:—

“With respect to a certain candidate, I concur with you in sentiment as to the impropriety of putting that person in the place proposed for him; and I not only approve, but commend, the integrity which induced you to oppose it. I think the President could not have been fully informed of the objections to which that nomination was liable, or he would have seen its tendency to an imputation of his too easily yielding to domestic considerations; and that he would not have been entirely shielded from it by any presumption that the General’s arrangement would not have contained that name if it ought to have been omitted. I suspect the General’s information was imperfect, and that neither of them have reason to regret the decision of the Senate.”

As Colonel Pickering apprehended, and as he felt, there may always be questions and doubts as to the propriety of his course in opposing the confirmation of a nomination made by the President, he himself being at the time one of his cabinet. The relations between a President and the members of his cabinet have never been definitely settled, in practice or public sentiment, in the United States. The degree of independence in political action reserved to the heads of department has never until recently been authoritatively determined. In almost every administration, there have been members of the cabinet, well known not to be in full sympathy with the President. William H. Crawford was Mr.

Monroe's Secretary of the Treasury, but he often spoke in a manner that showed him to be no admirer of his chief. There sat in the cabinet of John Quincy Adams, during his whole term, a political leader of the party opposed to him, and whose appointment to the bench of the Supreme Court was one of the first acts of Mr. Adams's successful competitor. The most recent expression of the will of the people on this subject, protecting members of the cabinet by law from removal while in most active opposition to the President, justifies fully the course of Colonel Pickering.

Before leaving this subject, justice requires it to be stated that, not long after the rejection by the Senate of the nomination of Colonel Smith to the office of Adjutant-General, he was a candidate for the command of a regiment to be raised in New York. The circumstances alleged against him, in connection with business transactions that have been noticed, having come to the knowledge of General Washington, he wrote to the Secretary of War a letter on the subject, concluding as follows: —

“ While the impossibility of disregarding this information forbade the selection of Colonel Smith absolutely; yet the possibility that it might admit of some fair explanation dissuaded from a conclusion against him. As it will be in your power to obtain further light on this subject, it has appeared advisable to leave this matter in the undetermined form in which it is presented, and to assign the reason for it. You are at perfect liberty to communicate this letter to the President. Candor is particularly due to him in such a case. It is my wish to give him every proof of frankness, respect, and esteem.”

The Secretary of War enclosed a copy of the General's letter, with a kind and friendly note, to Colonel

Smith, who, a few days afterwards, addressed a letter to the Secretary of War, vindicating himself, at length, from the charges that had been brought against him. His nomination as Colonel of the regiment was sent to the Senate, and received its assent. The disbandment of the army in 1800 left Colonel Smith without employment. President Adams nominated him to the office of surveyor of the district of New York and inspector of the revenue for the ports included in that district. On the assembling of Congress, in November, 1800, the nomination was referred to a committee. Their report, a compactly written paper of eighty-five pages, contains a great mass of accounts, vouchers, and letters, showing how thoroughly the committee examined the business transactions in which Colonel Smith had become involved. Among the letters is the following from Alexander Hamilton, dated New York, December 18th, 1800, addressed to a member of the Senate:—

“I have heard with much regret that the Senate have hesitated to confirm the appointment of Colonel Smith as surveyor of this port, on the suggestion of some mal-conduct in his pecuniary affairs.

“The suggestion has come to me in various shapes. The truth is, Colonel Smith has been engaged in large and various pecuniary transactions; and the consequence was that his affairs became extremely embarrassed. In the course of a struggle with great pecuniary difficulties, things of questionable shape never fail to occur. If Colonel Smith has not escaped this consequence, it is not wonderful. The affair of which I have heard, bearing hardest upon him, is one with Major Burrows, in which a transaction respecting Constable was cited. Constable has acquitted Colonel Smith of *ill intentions*; and the result of my inquiry is that the acquittal was just.

“On the whole, I am satisfied that Colonel Smith has meant

well, amidst a vortex of perplexing circumstances, and that no objection, from want of pecuniary fidelity, ought to prevent his appointment. In other respects, there will be no question.

“ Besides, nothing new, I believe, has occurred since he was appointed Colonel of the Twelfth. Will it be said that a man was fit for so honorable an office, and not fit for that of surveyor of a port, integrity being the question ?

“ I sincerely hope that the objections may be relinquished, and that he may be confirmed. A thousand considerations recommend it. Let me entreat your good offices.”

The nomination was confirmed by a vote of eighteen to eight of the Senators.

After having been removed from office by President Jefferson, Colonel Smith was in the Assembly of New York, and a member of Congress.

It not being necessary, for the purpose of this Biography, to give or to form an opinion as to Colonel Smith’s conduct in the matters brought in charge against him, no attempt has been made to unravel the complicated and multifarious details of the affair, embracing so wide a field, comprehending the business transactions of so many parties, at home and abroad, in great speculations and operations. It would task, if not overtask, the powers of congressional committees of investigation, and even of judicial tribunals, to thread through the maze and determine the exact merits and demerits of the persons implicated. The Committee of the Senate does not appear to have undertaken it, but merely reported the documents and evidences belonging to the case. It is enough to allow his memory the benefit of General Hamilton’s letter and the final verdict of the Senate.

The subject has been presented to show the relations on

this occasion between Colonel Pickering and the President. They were each much excited and in painful antagonism ; but both came out of the trial in a state of mind most honorable to their characters. In getting over the unpleasant passage, and being again on good terms, they alike displayed true magnanimity. Especially is this credit due to Mr. Adams, keenly wounded as he was by what he felt to be a wrong done to a son-in-law whom he loved and esteemed. It is not to be doubted that he was satisfied that Colonel Pickering had acted from conscientiousness ; and no angry feeling was allowed to rankle in his breast. It is true that, in the retrospect of the affair, through the animosities afterwards kindled, he regarded and spoke of it with bitterness ; but the biographer must pay no heed to such things. The passions of men must not be allowed to pervert or obscure the facts of history. Nothing that Mr. Adams, or Colonel Pickering, or their friends, may have subsequently said, can change the actual state of the case. That official and personal courtesies and amenities, as will now be shown, survived this disagreeable occurrence, is an ineffaceable record in their honor. That Mr. Adams bore no grudge is a glory to which his name is entitled, of which he could not be robbed by himself, and cannot be by others. An air of freedom and ease, often amounting to pleasantry, is to be noticed in the correspondence between the President and Secretary, not long after the difficulty about Colonel Smith, which seems to demonstrate that they were on the best of terms. Having heard the Attorney-General, Lee, mention the name of Bushrod Washington for Judge of the Supreme Court of the United States, in

the place of James Wilson, deceased, Colonel Pickering, in a letter to President Adams, of September 20th, 1798, says: —

“ B. Washington, — a name that I have never heard mentioned but with respect for his talents, virtues, and genuine patriotism. But he is young, — not more, I believe, than three or four and thirty. His indefatigable pursuit of knowledge and of the business of his profession has deprived him of the sight of one eye. It will be happy if the loss of the other does not make him perfectly the emblem of justice.”

President Adams, writing to Colonel Pickering, from Quincy, October 10th, 1798, says: —

“ I return you Mr. Foster’s letter and your answer, together with the Abbé Lambin’s letter to Mr. Foster, and the arret enclosed. Your answer to Mr. Foster is wise and prudent.

“ How ready is the spider to dart along his invisible line upon a fly that he thinks he sees off his guard! In this case, however, it will appear, I hope and believe, that the intended prey, our good-hearted friend, has been as much upon his guard as his insidious enemy.”

The following letter from Colonel Pickering, in answer to one enclosing an address to the President of the United States, was published, at the time, in the newspapers: —

“ TRENTON, September 29th, 1798.

“ SIR,

“ I have received your letter of the 21st of August, covering a paper without a signature; purporting to be an address from the freeholders of Prince Edward County, in the State of Virginia, to the President of the United States, to whom, you inform me, it was their request that I should present it.

“ Addresses to the President, being personal to him, and not connected with any of the subordinate departments of the government, it is not necessary that they should pass through

my office; and perhaps not one in twenty has come to my hands. Hitherto, however, I have forwarded all (youis excepted) which I have received; and the address from Prince Edward County would not have formed an exception, if the respect for the President of the United States *professed* in the beginning had appeared in the progress of the address. But, conceiving it not to be any part of my *official duty* to forward addresses, I will not *volunteer* in transmitting one which is calculated to insult the chief magistrate of my country. Such addresses must choose some other medium of conveyance.

“ The freeholders of Prince Edward County profess that it is not their design to approach the chief magistrate of the United States without respect, and yet they call his dignified resolve, ‘ never to send another Minister to France without assurances that he would be received, respected, and honored as the representative of a great, free, powerful, and independent nation,’ a ‘ rash resolution ! ’ and they insinuate that the majority of the members of each house of Congress, and the President, for concurring in certain of their public acts, have a *design* to overthrow the rights and to destroy the liberties of the people of the United States. As I know the integrity and genuine patriotism of the great and leading characters by whom the formation and adoption of those acts were accomplished, I hesitate not to call that insinuation a *calumny*; and in which I should think I participated if I gave it a passage to the President. Therefore, Sir, I return to you the address of the freeholders of Prince Edward County; that, if they shall finally determine to insult the President and Congress by persisting to offer the address, they may commit it to some person who is capable of debasing himself by presenting it.

“ Here, Sir, I might close this letter, but the liberty claimed and used by the freeholders of Prince Edward County, of examining the proceedings of the President and Congress (a claim which, while exercised with decency, without insult to the constitutional authorities, and without a design or tendency to excite discontents and disobedience to the laws of our country, will never be questioned), I trust may be used

by me in examining the public proceedings of my fellow-citizens.

“ The freeholders of Prince Edward County say: ‘ Obedience to the laws, and attachment to the government established by the choice of our country, we esteem as the primary duties of good citizens.’ But is the calumnious insinuation above noticed consistent with this declaration? They also say that certain acts of Congress are ‘ flagrant violations of the supreme law of our country.’ Is this decent? Is this a proper way to manifest their sense of the ‘ first duties’ of good citizens,—obedience to the laws, and attachment to the government of their country’s choice? On the contrary, do not such declarations tend to excite disobedience to the laws, hatred to the government, insurrection, and revolt?

“ The freeholders of Prince Edward County ask: ‘ Can we, for an instant, flatter ourselves that the strength of America, destitute as she is of the means of attacking a distant enemy, is competent to the great scheme of humbling the haughtiness and the power of France? or of compelling her to a compensation for injuries which has been sought in vain by negotiation?’ Allow me to ask, in my turn: Who in the United States has proposed this scheme? Who has declared or intimated that the object of our government, in providing an army and ships of war, was to ‘ humble the haughtiness and the power of France?’ Who has urged any other motives for those measures but these,—to *prevent that ‘ haughtiness’ and that ‘ power’ from further humbling us; from trampling on our necks; from totally destroying our commerce; from levying discretionary contributions; from crushing us with an ignominious tribute, a tribute to be measured only by her wants and our utmost ability to pay; from subjugating us, as she has done Holland and Switzerland, and other republics;* and while as falsely as impudently boasting of *giving them liberty, ruling them with a rod of iron,—yes, the bayonets of her soldiers, directed by ferocious Generals and insolent Ministers, are the instruments of her tyranny in those wretched republics, which, partly by force and partly by her ‘diplomatic skill,’ have been reduced under her control,—and, finally, to prevent her inflicting on us what she has threatened to inflict,*

the miserable fate of Venice! that is, to be partitioned, bartered, and sold, our persons with our cattle and other property, to the European powers, with whom France could make the most profitable bargain for herself?

“It is true that compensation for past injuries has been sought in vain by negotiation: but so desirous was the government of the United States to effect a reconciliation with France, the Envoys were instructed not to insist on compensation, or even a stipulation that compensation ever should be made; they were only, after pressing them in vain, not to abandon our just claims of retribution for the many millions of which her iniquitous rulers had caused our citizens to be plundered; a hope was entertained that a sense of justice might hereafter return, and, concurring with national policy, restore to our fellow-citizens their honest dues. But the free-holders of Prince Edward County know, or ought to know (for the documents have been published), before they censure their own government, that, instead of making or stipulating to make, such a compensation, the French government made their own unfulfilled contracts, and the monstrous depredations they had committed, and would continue to commit, on our commerce, the measure of their demands of tribute! and although the United States had borne a thousand insults and injuries from that ‘haughty’ power, and had repeatedly sought, and were then by the solemn and extraordinary mission of three Envoys respectfully and earnestly seeking, a perfect reconciliation, yet those Envoys were not received; they could not obtain permission to see the Directory without previously stipulating to bind the United States in ignominious chains as tributaries! tributaries to a government which, regardless of justice, makes the extent of its power the only rule of its conduct. And yet, the addressers, the freeholders of Prince Edward County, so tremblingly alive lest their rights and liberties should be touched by any act of their own government, are not satiated with the concessions which have been made to France,—with the past sacrifice of so many millions of the property of their commercial fellow-citizens, and of the rights and dignity of their country! They still entreat the President to submit to further indignities; to make new

overtures, and to adopt some speedy and effectual plan for conciliating the differences between the two republics.'

"The addressers complain of the 'odious Alien and Sedition Bills.' I will therefore take the liberty to state the objects of those bills now become laws; and this having been done already in an excellent address to the citizens of New Jersey, now before me, I shall content myself with making the following extracts with some small variations:—

"The alien law has been bitterly inveighed against, as a direct attack upon our liberties, when in fact it affects only foreigners who are conspiring against us, and has no relation whatever to an American citizen. It gives authority to the First Magistrate of the Union to order all such aliens as he shall judge dangerous to the peace and safety of the United States, or shall have reasonable grounds to suspect are concerned in any treasonable or secret machinations against the government thereof, to depart out of our territory. It is only necessary to ask whether, without such a power, vested in some department, any government ever did, or ever can, long protect itself. The objects of this act are *strangers merely*, persons not adopted and naturalized, a description of men who have no lot nor interest with us, and who even manifest a disposition the most hostile to this country, while it affords them an asylum and protection. It is absurd to say that, in providing by law for their removal, the Constitution is violated; for he must be ignorant indeed who does not know that the Constitution was established for the protection and security of American citizens, and not of intriguing foreigners.

"The Sedition Act has likewise been shamefully misrepresented as an attack upon the freedom of speech and of the press. But we find, on the contrary, that it prescribes a punishment only for those pests of society, and disturbers of order and tranquillity, 'who write, print, utter, or publish any false, scandalous, and malicious writings against the government of the United States, or either house of the Congress of the United States, or the President, with *intent* to defame, or bring them into contempt or disrepute, or to excite against them the hatred of the good people of the United States; or to stir up sedition, or to abet the hostile designs of any foreign

nation.' What honest man can justly be alarmed at such a law, or can wish unlimited permission to be given for the publication of *malicious falsehoods*, and with intentions the most base? They who complain of legal provisions for punishing intentional defamation and lies, as bridling the liberty of speech and of the press, may, with equal propriety, complain against laws made for punishing assault and murder, as restraints upon the freedom of men's actions. Because we have the right to speak and publish our opinions, it does not necessarily follow that we may exercise it in uttering false and malicious slanders against our neighbor or our government, any more than we may under cover of freedom of action knock down the first man we meet, and exempt ourselves from punishment by pleading that we are free agents. We may indeed use our tongues, employ our pens, and carry our cudgels or our muskets whenever we please; but, at the same time, we must be accountable and punishable for making such 'improper use of either as to injure others in their characters, their persons, or their property.' 'We would on this subject only add that so tender and regardful have Congress been in this instance of our rights as citizens, as to have expressly declared in the law that any person prosecuted under it may give in evidence, in his defence, the *truth of the matter* contained in the publication, and that the jury before whom the trial shall be shall have a right to determine the law and the fact under the direction of the court as in other cases. Hence, there can be no conviction, unless it appears, not only that the matter written, printed, or published, was false, but that it was scandalous and malicious, and done with wicked intent.'

"Allow me once more to turn your attention to France.

"You will recollect that, in the despatches from our Envosy, it appears that the person designated by the letter Y. accompanied Mr. Gerry on the 17th of October to Mr. Talleyrand's office, where Mr. Gerry, having observed to Mr. Talleyrand that Mr. Y. had that morning stated to him some propositions as coming from him, Mr. Talleyrand declared 'that the information given him by Mr. Y. was just, and might always be relied on.' Looking back one page in the despatches, we find

the propositions stated that morning by Mr. Y. to Mr. Gerry thus recited: 'He (Mr. Y.) then stated that two measures *which Mr. Talleyrand proposed* being adopted, a restoration of friendship between the republics would follow immediately; the one was a *gratuity of fifty thousand pounds sterling*; the other a purchase of thirty-two millions of the Dutch rescriptions.' The despatches that had been published in the United States, having been republished in Europe, were translated into French and other languages, and thereby obtained a general circulation, except in France, where, all the presses being under the absolute control of the Directory, they have not allowed the despatches to be published; but where, however, it was impossible but that some copies should be introduced; and the French Directory and their minister Talleyrand being aware how detestable their conduct, as represented in the despatches, must render them in the eyes of all mankind, wished to wipe away their ignominy, and especially the reproach of *corruption*, in respect to the *douceur* or *gratuity* of fifty thousand pounds sterling demanded for their own pockets, by calling their agents, who informally conferred with our Envoys '*certain intriguers*,' as if they were unauthorized and unknown. With this view, Mr. Talleyrand affects an utter ignorance of the persons designated in the despatches by the letters W., X., Y., and Z.; and, in his letter of May 30th, with solemn grimace, requests Mr. Gerry immediately to communicate to him the names for which those letters stand. And Mr. Gerry, although he knew that Talleyrand was much better acquainted with X., Y., and Z. than he was himself, having complied with this insulting request, Mr. Talleyrand makes a formal record of their names; and then publishes the correspondence between him and Mr. Gerry on this subject, in order to blind the eyes of the French people, and amuse the world with the idea that the French government held in abhorrence 'the scandalous proposition (as Talleyrand calls it) made by X. and Y., with respect to the payment of any sum whatever intended to be pocketed in a corrupt manner.' Now the person designated by Mr. Y. has since openly avowed himself, and is a Mr. Bellamy, a Genevan, belonging to a commercial house, and residing in Hamburg.

Mr. Bellamy in a paper published there on the 25th of June, in his own vindication, declares that 'he had done nothing, said nothing, written nothing, without the orders of citizen Talleyrand.' But there is one other important fact relative to this business, not mentioned in the despatches from the Envoys, which ought to be universally known, and of the truth of which I have incontrovertible evidence. It is this. The company at the *private* dinner to which Mr. Gerry was invited by Mr. Talleyrand consisted of X., Y., and Z. After rising from table, X. and Y. renewed to Mr. Gerry, in the *room* and in the *presence* (though perhaps not in the hearing) of Talleyrand, the *money propositions* which the Envoys had before rejected! And yet Mr. Talleyrand has affected ignorance who were meant by X., Y., and Z.!

"The preceding observations and statement have been made with the view of communicating correct and useful information to the freeholders of Prince Edward County, and I might have contented myself with transmitting them to you for that purpose; but this evening I have seen, in a Philadelphia newspaper, an address from the freeholders of Prince Edward County, in the State of Virginia, which, upon comparing, I find to be the same with that you requested me to deliver to the President. This premature publication of the address seems to show that the object of the addressers was, *not* simply to urge the President 'to exert his constitutional powers, on the earliest occasion, in the repeal of the acts' which the address had censured, and which could not be done until the next session of Congress, *but* to procure partisans to their unfounded opinions among the people. I therefore think it proper and my duty, since the occasion has been offered, forthwith to cause this letter to be published."

However the freeholders of Prince Edward County may have stood affected on reading this letter, the person who had assumed to act as their spokesman, and to whom it was addressed, was highly incensed. The last paragraph of his reply indicates its character and value. It is as follows:—

“ You have made much clamor about decency ; you, who have *observed it so strictly* in your comments on the Prince Edward address. Even if the charge of indecency lies against the addressers, you are amongst the last men who can, with any propriety, exhibit such a charge, unless you set up a claim to an exclusive privilege of indecorum,—a claim which will readily be yielded to you, when it is recollected that insolence and moroseness of manners are your strongest characteristics ; and neither charity nor envy will deny you the enjoyment of the only distinction which is within the reach of your talents.”

President Adams regarded the letter and the “ talents” of its author in a very different light. Writing to Colonel Pickering from Quincy, October 15th, 1798, he says : —

“ DEAR SIR,

“ I received your answer to the address from Virginia, concinnate and consummate. My secretary gave a hint of it to Mrs. Adams, and she insisted upon his bringing it to her bedside and reading it to her. She desires me to tell you that, weak and low as she is, she has spirit enough left to be delighted with it. She says it is the best answer to an address that ever was written, and worth all that ever were written. You may well suppose that I, who am so severely reflected on by these compliments, am disposed enough to think them a little extravagant. I, however, think the answer excellent, and wish you had to answer all the saucy addresses I have received. I don’t intend to answer any more of the disrespectful ones.

“ I am, with great esteem,

“ JOHN ADAMS.”

In view of the character, tone, and import of this language, whatever either party may subsequently have said or felt, no question can be entertained that then the pleasantest and most cordial sentiments towards Colonel Pickering were cherished by Mr. Adams and his family.

The friendly feeling of the President is shown in the following letter to Colonel Pickering, dated from Quincy, October 26th, 1798:—

“ The enclosed letter to me from Mr. Gerry I received last night, and pray you to have it inserted in a public print. It will satisfy him, and do no harm to any one. It explains some circumstances advantageously. He came to me upon the publication of your answer to the address, and seemed uneasy at some expressions in it. I read him the extract of General Marshall’s letter to you, which was in the words you have employed. He gave me the same explanations as are contained in this letter. I advised him to put them upon paper, in the form of a letter to you, or, if he chose it, to me, and I would transmit it to you.”

Mr. Gerry chose the latter course, and the President transmitted his letter to Colonel Pickering for his perusal. On the back of a copy of it, Colonel Pickering wrote as follows:—

“ Returned the original to the President, the 11th December, 1798, at his request, that he might send it to Mr. Gerry to publish, if he pleased. It was on this occasion that I said to the President that I had no time to engage in a newspaper dispute with Mr. Gerry, and did not desire it; but, if he would publish, that I would follow him. The President then remarked, ‘ If you do engage in the newspapers with Mr. Gerry, you will find that you never had such an antagonist in your life.’ ‘ O Sir! ’ I replied, ‘ I have no apprehensions of difficulty in a controversy with Mr. Gerry.’ ”

This conversation manifests a freeness of intercourse that would not have occurred except as between friends.

During this year the President demonstrated his appreciation of Colonel Pickering’s business and executive ability by appointing him, at different times, to fill the places of the Secretary of the Navy and the Secretary

of War during their temporary absences. He also assigned to him the superintendence and charge of such duties as the alien law threw upon the head of the general government; and all this was in addition to the management and responsibilities of the department of state.

On the 27th of November, 1798, Colonel Pickering, "in obedience to the President's direction," submitted "his ideas on the matters to be communicated to Congress, in the President's Speech, on the opening of the approaching session." It is an elaborate paper, eleven pages in length, of the statements and suggestions of which the President availed himself in several passages of his Speech to Congress on the 8th of December.

In the year 1799, although there was a decided difference of opinion between the President and the Secretary of State on the subject of instituting a new mission to France, and the latter expressed his sentiments with his usual frankness and force in correspondence with friends, there is no appearance of any thing of a disagreeable nature passing between them personally. The Secretary performed his official duties, in promoting the furtherance of the mission when it had been organized, communicating with the Envoys, and preparing their instructions in accordance with the President's views. Correspondence between them on other subjects was free and unrestrained.

On the 18th of October, 1799, the President wrote to Colonel Pickering to this effect: "As the session of Congress draws nigh, I pray you to favor me with your sentiments concerning the communication necessary to be made to Congress of the state of the nation." After

mentioning some points on which he particularly desired his views, he says: "In short, whatever is thought proper to be mentioned to Congress, from a full consideration of the state of the nation in all its relations, will be received from the Secretary of State with great pleasure by his faithful, humble servant." In a postscript the President says: "The miserable rebellion in Pennsylvania must be stated, I suppose, with the means of its suppression."

In compliance with this request, Colonel Pickering prepared a form of the speech, which was afterwards taken into a new draught. Nearly the whole of the President's Speech to Congress, on the 3d of December, 1799, is taken, with slight alterations, from Colonel Pickering's original form. Many passages and paragraphs were, however, omitted, as Mr. Adams sought brevity in his speeches and messages to an extent not practised by his successors. Some of the omitted parts are here given, as specimens of the graphic style of the writer, and of his faithful desire to do justice to the policy of the President on the point where his course, at the time, had been regretted and disapproved by Colonel Pickering and the supporters of his administration generally:—

"Europe, so long the scene of slaughter, continues to flow with streams of human blood. After spreading devastation through many countries,—after many states, as well republican as monarchical, had been plundered and subverted,—the storm of war, abating for a time its rage, has burst forth with redoubled fury, producing and portending mighty reverses and changes, the period and effects of which it is not easy to calculate. It was during this abatement of the European war that the United States, almost from its commencement in hazard of being involved in the tempest, felt

themselves more than ever exposed to the danger, by the increased aggressions and hostilities of the French Republic. This danger was so manifest as to demand the measures of defence and protection authorized by the late Congress, the wisdom and utility of which subsequent events have abundantly justified. Unquestionably those measures greatly contributed to produce indications of a disposition on the part of France to accommodate the differences between the two countries. As one of the guardians of the public weal, and specially charged with the conduct of our foreign relations, I judged it to be my duty to notice those indications which were communicated to me through the Minister Resident of the United States at the Hague. It seemed to me expedient to meet this overture from France, to avoid the burden and evils of an open war; for, to be at peace with all nations, as well as independent of all, has been the constant aim and effort of the United States. I therefore nominated, and, with the advice and consent of the Senate, appointed new Envoys to the French Republic." "The characters of these gentlemen are sure pledges to their country that nothing incompatible with its honor or interest, nothing inconsistent with our obligations of good faith or friendship to any other nation, will be stipulated." "At a time when momentous changes are daily occurring on the widely extended theatre of war, and every hour is preparing new events in the political world; when the passions of mankind are enkindled, and a spirit of war is prevalent in almost all nations by whose conduct the interests of the United States can be affected, it is the most obvious dictate of wisdom not to relax in our naval or military preparations, but rather to improve and extend them in all points necessary to express and maintain an inflexible determination to repel injuries, support our honor, and secure our rights."

The evidence is complete, that when the year 1799 went out, the President regarded the Secretary of State with respect and confidence, and that the latter was, with true allegiance, warmly supporting his administration.

In a letter to John Quincy Adams, dated January 7th, 1800, enclosing copies of the President's speech at the opening of Congress, Colonel Pickering says: —

“ Since the date of my last letter, an event, as unexpected as important, has occurred, — the death of General Washington. A sudden inflammation of his throat, after a common cold, terminated his life in twenty-four hours, on the 14th ultimo. Having lived universally respected, his death has caused universal mourning. Congress have met the spontaneous wishes of the people, in recommending, by their formal acts, particular marks of honor to his memory. Funeral processions, orations, eulogies, and the ensigns of grief are everywhere displayed; and the 22d of February, the day on which his birth has been so often celebrated, is, by a recent resolve, to be distinguished by funeral orations and other demonstrations of the respect, the love, and the regrets of his country.”

The letter proceeds, as usual, to give information, in a friendly and confidential spirit, of the state of affairs and of parties in Congress.

A special regard seems to have been held by Colonel Pickering for John Quincy Adams. He had sought his advancement. A constant correspondence had existed between them, conveying intelligence to each other respectively of occurrences at home and abroad. It is difficult to believe, up to the date of the foregoing extract, that there could have been any such dissatisfaction on the part of the President with his Secretary of State, or such settled hostility on either side, as was afterwards represented.

It does not appear from Colonel Pickering's papers that any differences or embarrassments whatever existed between the President and his cabinet from the 1st of January, 1800, to the beginning of May. If, as

afterwards represented by some, any disagreeable feelings existed in the mind of Mr. Adams towards the Secretary of State, during this interval of time, they seem to have been wholly unknown and unsuspected by the latter. Business and intercourse went on smoothly and harmoniously, and every thing indicated that no change was impending, or thought of by any one. On the 24th of April, the President communicated to the Secretary of State a request that he and the other heads of departments would take into consideration the expediency of establishing a public printer, as a part of the permanent organization of the government. He says, "The President must issue proclamations, articles of war, articles of the navy, and must make appointments in the army, navy, revenue, and other branches of public service ; and these ought all to be announced by authority in some acknowledged gazette. The laws ought to be published in the same," — "a subject which, although at first view it may appear of inconsiderable moment, will, upon more mature reflection, be found to be of some difficulty, but of great importance to the honor, dignity, and consistency of the government."

As the President intimates, it would require some time for the heads of departments to institute the necessary inquiries and adjust their views on this subject. During the first ten days of May, the Secretary of State was busily employed in his office. On the 3d of May, he addressed a letter to Robert Liston, the British Minister to the United States, on some particular points of international law respecting the powers of belligerents and the rights of neutrals. Referring to a " project of stipulations " offered by Mr. Liston, "for the mutual delivery of deserters,

whether seamen or soldiers," he says, " I have now the honor to enclose a counter-project, by which you will see the objections which have occurred to your propositions. The President has been pleased to direct and empower me to negotiate with you on this subject; and it will afford him great pleasure if we can make a satisfactory arrangement."

On Saturday morning, May the 10th, Colonel Pickering drew up a variety of papers in the execution of his office; among the rest, a letter to the President, relating to some important territorial appointments.

During the day, he received the following from the President: —

"PHILADELPHIA, May 10th, 1800.

"SIR,

"As I perceive a necessity of introducing a change in the administration of the office of state, I think it proper to make this communication of it to the present Secretary of State, that he may have an opportunity of resigning if he chooses. I should wish the day on which his resignation is to take place to be named by himself. I wish for an answer to this letter on or before Monday morning, because the nomination of a successor must be sent to the Senate as soon as they sit.

"With esteem, I am, Sir, your most obedient and humble servant,

"JOHN ADAMS.

"Hon. TIMOTHY PICKERING, Secretary of State."

On Monday morning, May 12th, Colonel Pickering went to his office as usual. He sent a letter to the President, with accompanying documents, relating to an American Consul in San Domingo; making, however, no allusion whatever to the President's letter of the 10th, but, in the mean while, transmitted the following answer to it: —

“ DEPARTMENT OF STATE, PHILADELPHIA,
Monday morning, May 12th, 1800.

“ SIR,

“ I have to acknowledge the receipt of your letter, dated last Saturday, stating that, as you ‘ perceive a necessity of introducing a change in the administration of the office of state,’ you ‘ think it proper to make this communication of it to the present Secretary of State, that he may have an opportunity of resigning, if he chooses,’ and that you would ‘ wish the day on which his resignation is to take place to be named by himself.’

“ Several matters of importance in the office, in which my agency will be useful, will require my diligent attention until about the close of the present quarter. I had, indeed, contemplated a continuance in office until the 4th of March next, when, if Mr. Jefferson were elected President (an event which, in your conversation with me last week, you considered as certain), I expected to go out, of course. An apprehension of that event first led me to determine not to remove my family this year to the city of Washington; because, to establish them there would oblige me to incur an extraordinary expense, which I had not the means of defraying; whereas, by separating myself from my family, and living there eight or nine months, with strict economy, I hoped to save enough to meet that expense, should the occasion occur. Or, if I then went out of office, that saving would enable me to subsist my family a few months longer: and, perhaps, aid me in transporting them into the woods, where I had land, though all wild and unproductive, and where, like my first ancestor in New England, I expected to commence a settlement on *bare creation*. I am happy that I now have this resource, and that those most dear to me have fortitude enough to look at the scene without dismay, and even without regret. Nevertheless, after deliberately reflecting on the overture you have been pleased to make to me, I do not feel it to be my duty to resign.

“ I have the honor to be, with great respect, Sir, your most obedient servant,

“ TIMOTHY PICKERING.

“ Mr. ADAMS, President of the United States.”

There is not anywhere, in the language of this remarkable letter, the slightest tinge of resentment or irritation. It treats the subject in the coolest and most placid manner, and has the air of free and friendly communicativeness. It implies a regret that some important public business that had been entrusted to his hands, and was then in prosecution, would be interrupted. It refers to his private affairs and the necessity of practising the strictest economy, not at all to excite sympathy, but apparently to show that removal from office was not a very great injury to him, and thereby to relieve the President of any disagreeable feelings on that score by explaining the arrangements and preparations he had made to go out, at any rate, a few months afterwards, in the event of Mr. Jefferson's election. His expression of an "apprehension" of that event, and his reference to a very recent conversation in which the President had declared that he considered it "certain," were, probably, not very agreeable.

Colonel Pickering was perfectly right in declining to resign. When a citizen is ejected from place by a superior official agent, it is proper and important that the responsibility for the act should wholly rest upon him who executes the power.

Within an hour after sending this letter, the following was received: —

"PHILADELPHIA, May 12th, 1800.

"SIR,

"Divers causes and considerations essential to the administration of the government, in my judgment requiring a change in the department of state, you are hereby discharged from any further service as Secretary of State.

"JOHN ADAMS,

"President of the United States.

"TIMOTHY PICKERING, Esq., May 12th, 1800."

Upon receiving this missive, Colonel Pickering applied himself to completing the arrangements for the second census, pursuant to an act of Congress ; and, after working hard all day, accomplished the task, and, that evening, left the office finally.

This dismissal of Timothy Pickering from the office of Secretary of State was accompanied with no specific charges. The result of a sudden impulse on the part of the President, it created a shock in the minds of the friends of the administration, and contributed, undoubtedly, to the causes that led to its overthrow.

Declarations subsequently made, whether by Mr. Adams or his apologists, that it was on account of Colonel Pickering's want of ability to fill the office of Secretary of State, and of his course on some points where he and the President had disagreed, — as in the ranking of the Major-Generals of the provisional army, or the sending a new embassy to France ; or, more particularly, from Colonel Pickering's having acted in promoting the rejection of the nomination of Colonel Smith, thereby deeply wounding the President's feelings, — are shown to be wholly without foundation by the evidence that has now been adduced. It is proved by the President's own words, in documents written after those occurrences, that, however disagreeable they were, and strong as the language of parties may have been at the time, the President bore no grudge whatever against Colonel Pickering for his agency in them. On the contrary, he continued ever after, down to within a few days of the dismission, to ask his counsel in all important matters, express his appreciation of the ability, prudence, and wisdom displayed in documents of various kinds

prepared by the Secretary of State, largely to adopt his suggestions, and to incorporate much of draughts drawn up at his request by the Secretary into his own speeches and messages.

On the other hand, it would not be just to indorse the charge, certainly not to the extent in which it was made, that the President had some understanding, with persons professing to act for the Democratic party, with the view of obtaining its electoral votes. The arts practised by some persons and presses of that party may have beguiled him into thinking that the removal of the member of his cabinet most obnoxious to them might bring him some strength from that quarter. Many leaders and heads of parties, since his day, have opened their ears to political opponents, and always with the same fate. But that Mr. Adams was false or treacherous to his party, deliberately and upon a concerted plan, is difficult to believe. He appointed to succeed Colonel Pickering John Marshall, one of the firmest, most earnest, and eminent Federalists in the country. John Jay was also an inflexible Federalist of the truest stamp. The first Chief Justice of the Supreme Court of the United States, he had subsequently been Minister to Great Britain and Governor of the State of New York. He had fully sympathized with Colonel Pickering on all the points of difference that had occurred between him and the President. Yet Mr Adams, a few months after the removal of Pickering, nominated Jay to be again Chief Justice of the United States. The truth is that John Adams, notwithstanding the opposition he had encountered from many in the Federal party; and although, when the fortunes of his distinguished son

had become identified with those of the Democratic party, he was sometimes thought to lean towards it,—was a Federalist to his dying day. The political principles and sentiments that made him such were inlaid among the deepest strata of his nature.

It is possible that exaggerated accounts may have reached him of an intrigue in the Federal party to secure to General Pinckney one or two more electoral votes than for him, and thus make Pinckney President, and degrade him back to the Vice-Presidency; or, if their electoral votes should turn out equal, to bring about the same result when the decision between them should be made in the House of Representatives. This idea would naturally and justly have awakened his indignation, and kindled his inflammable spirit. Whatever the extent of this design, he would have been likely to attribute it to Hamilton. An instantaneous impulse, perhaps, prompted him openly, bravely, and defiantly to fight what he deemed a faction hostile to him. He supposed Pickering to be under Hamilton's influence; and he struck at him, meaning that the blow should tell upon Hamilton, and all in league with him.

This, however, is a mere conjecture, suggested by a consideration of Mr. Adams's character and temperament, and all the circumstances of that perplexed crisis. So far as Mr. Adams acted upon the belief that Colonel Pickering was entirely under the influence of Hamilton, he was mistaken. They had not always agreed on the points of difference that had formerly existed between the President and Pickering. Hamilton had not been Pickering's principal political correspondent. In the manuscript collections of the latter are found, passing to

and from, during the three years and two months that he was Mr. Adams's Secretary of State, ninety-two letters between him and Washington, forty-nine between him and Hamilton, thirty-seven between him and Jay, and a large number between him and Marshall, Fisher Ames, and George Cabot, respectively. Hamilton's letters are brief, many of them about other than political matters, and scarcely at all of a nature to exert an influence; whereas the letters between Pickering and the other persons named are almost wholly political. There is reason to believe, from the tenor of his correspondence generally, prior to his dismissal, that Colonel Pickering desired the re-election of Mr. Adams, and the election of Pinckney to the Vice-Presidency.

Any suspicions, on the part of Mr. Adams, that prominent persons of his own party were in combination to overrule and thwart him, were altogether unreasonable. The opinions of public men in or out of office, and of the people generally, ought to have weight in the minds of persons charged with the administration of affairs, and may legitimately and well reach the President himself.

The summary dismission from office of the Secretary of State created, of course, open, unrestrained, and flagrant hostility between him and the President. The latter being the party who had inflicted the injury, by a law of human nature was at once wrought up to the highest expressions and degree of anger, under the pressure of the necessity of vindicating the act to his own mind and to others. The resentment of the party suffering the injury, by a similar law, became more roused as, in the lapse of time, the subject was longer contemplated. They both looked back, through the medium of passions

become inflamed, upon occasions which had excited disagreeable thoughts, but which their mutual respect and good feelings at the time had surmounted and survived. Their views, sentiments, or statements, while these passions were prevailing, are not to be adopted by the historian as countervailing, or at all affecting, the evidence of past facts, but simply as illustrating the state of their minds, and, in fact, of all minds, when discolored and disordered by animosity, provocation, and resentment.

The Minister Resident of the Batavian republic, on the 14th of May, 1800, wrote a letter to Colonel Pickering as follows: —

“ SIR,

“ It is with extreme regret I have received the information, and see by the newspapers, that you are to retire from the public and high station you have held so many years in the general government of this country. I cannot, on this occasion, but express my obligations to you for the polite, friendly, and open reception I have uniformly received from you, when called by public duty, or any other occasion, to address you. I have found in you, Sir, a friend to my country, and you have impressed me with the belief that, whenever an opportunity should have offered itself for applying to you for any friendly office in favor of my nation, you would not have rejected my application, when consistent with the interests of your country. That those interests were dear to you; that they have found in you an able, zealous, and upright supporter and defender, — is acknowledged by all what is good and virtuous in America and in Europe, and has commanded you, everywhere, the esteem of all honest men; and, although their approbation and regard may and cannot be generally and openly expressed to you, you will convince yourself of possessing it by the malignant and undissembled hatred of the bad and the deluded among your countrymen, and of the enemies of the political independence of America elsewhere.

“Accept, Sir, my sincere wishes for your happiness; grant me the continuance of your friendly sentiments towards me; and receive the assurances of the high consideration, and the perfect esteem, wherewith I have the honor to subscribe myself, Sir, your most obedient servant,

“VAN POLANEN.”

Colonel Pickering thus replied: —

“PHILADELPHIA, May 15th.

“DEAR SIR,

“If I were afflicted at the event you mention, your letter of yesterday would give me great consolation. For myself, I am perfectly satisfied. As to my country, it will find, in the gentleman named for my successor, if he accept the office, a far abler, and doubtless a more prudent, advocate. With a temper perfectly placid (as I fondly imagined) towards mankind in general, I confess that the manifestation of villany, whether private or public, has ever been wont to excite my indignation; and I am not used to conceal what I feel. Hence a severity of expression which should seldom be admitted into diplomatic papers. This temper, now called acrimonious, is one of my ostensible sins; but I am certain that my removal is to be ascribed to *other* causes. Time may develop them. Excepting in this circumstance, I will venture to say that I thought as correctly, and, at least, as humbly of myself as my enemies could think of me. I did not seek the office; it was in a manner forced upon me, after near a month’s resistance, and after several men, whom I readily acknowledge to be my superiors, had declined it. Forgive this egotism.

“If I have shown a friendly disposition towards your country, it was because I wished, if occasion should offer, to promote its welfare, which was certainly compatible with the interests of my own. My friendly sentiments towards you I cannot withhold. They are due to your character, which has commanded, and will ever secure, my esteem.”

When Colonel Pickering left his office, on the evening of the 12th of May, 1800, he had been for nine years in the various branches of the administration of the United States. As Indian negotiator, Postmaster-

General, Secretary of War, and Secretary of State, he had discharged the functions of, or been connected with, each and all the then existing departments, and performed services, now distributed through the entire organization of the executive force of the government. As Postmaster-General, he was at the head of a bureau in the Treasury; as Secretary of War, he was in charge of the navy as well as army, and also superintended the Indian affairs and policy of the country; as Secretary of State, he not only conducted the intercourse with other nations, but all business relating to the territories, to patents, the mint, and the census. He had, in fact, at different times, under his guiding hand, the whole working machinery of the government. The State Papers show the ability, industry, and fidelity of his service, more various and extensive in its range than any other one man has ever been called to discharge. Throughout he met the approval of Washington. In his last office particularly was this the case. All his compeers — Jay, Marshall, Ames, Hamilton, King, Cabot, and others — bore cordial and grateful testimony to the value of his labors. James Madison succeeded Colonel Pickering, with a brief interval, as Secretary of State. After the conclusion of Madison's most distinguished political life, during which he and Pickering had been opponents, he declared to friends and visitors, that the records of the state department gave evidence of ability, on Col. Pickering's part, never surpassed. No man was ever more competent to pass a judgment on this point than Madison, and his judgment will stand the test of the strictest scrutiny of the documents to which it relates.

In closing the chapter that has been given to the

relations between John Adams and Timothy Pickering, they may be considered together. Their lives were in lines alternately parallel and divergent. Their first American ancestors were among the early settlers of the country,—the original Adams on the south side, and the original Pickering on the north side, of Massachusetts Bay. For several generations, their families retained the conditions of the New England population generally, respectable, industrious, and thrifty, engaged in agricultural and mechanical pursuits, but imbued, in accordance with the spirit and traditions of their race, with aspirations for education and learning. John Adams graduated at Harvard College in 1755; Timothy Pickering, in the class of 1763, of the same institution. They each chose the law as their profession. Both early foresaw the future greatness and glory of their country, and it is remarkable that they described the vision in language quite similar. As the first indications of the conflict between the American Colonies and the mother-country appeared, Adams devoted his talents to the study and enunciation of the principles of constitutional liberty and law involved in the coming contest; Pickering, to the preparation of the people to encounter the struggle on the field of battle. When the war of the Revolution had broken out, Adams, in the courts of Europe, sought successfully the aids and alliances necessary to carry it on, while Pickering, by the side of Washington, was constantly engaged in conducting its operations. After the great end was accomplished, and the independence of America established, the two were, for a while, in positions as widely opposite as it is possible to imagine,—Adams, the first ambassador to the

court of Great Britain ; Pickering, enduring hardships and perils in a frontier settlement: the one, in a station of splendor and eminent distinction ; the other, chained a captive in the woods of Pennsylvania. Again they came together,— Adams Vice-President and President of the United States, Pickering at the head of successive executive departments. Subsequently, their relative positions were strangely changed, as will be seen in the succeeding chapters of this Biography: Adams occupying the presidential mansion in the new city of Washington ; Pickering, driven from office, building for himself a log-hut in a wilderness. Once more their fortunes were wonderfully transposed : Adams withdrawn to permanent private life ; Pickering emerging to new and high official spheres. At last, the chequered scenes of their long career closed. They died in equal peace and honor, in the places of their birth, and their remains rest in ancestral soil.

There is a like combination of resemblances and contrasts in their characters and fame. It is the glory of Adams that by his bold eloquence he carried the Declaration of Independence ; by his wise exertions George Washington was placed at the head of the army of the Revolution ; and, on his nomination, John Marshall made Chief Justice of the Supreme Court of the United States. The ineffaceable impress of Pickering's talents and patriotism is found in the military, civil, and political annals of the country. They were both educated men, and equally cherished the memories and tastes of early culture. Adams was a man of superior learning, which was unequalled in the history and policy of nations, and conversant with the society and writings

of the scholars and philosophers of Europe. Pickering, in place of such learning, was familiar with other vast fields of knowledge in the science and art of agriculture, practical affairs, and human nature as displayed in the private spheres of ordinary active life, and the masses of mankind. They each wrote with great force and ability, and their powers and charms in conversation gave instruction and delight to all whose privilege it was to meet them in their venerable years. Adams, by uttering thoughts and transitory emotions which more prudent men repress or withhold, incurred the reproach of vanity, egotism, and irascibility. Pickering's boldness, energy, and plainness of expression, and the earnestness of his manner and nature, gave him among those not sufficiently acquainted with him the reputation of being a man of vehement prejudices and passions. But neither of them was malignant or unforgiving. There was a large share of kindness and tenderness in each of them. Adams no doubt was sensible of his own great powers. On this point there was a striking difference between them. No experience could teach Pickering to value justly his own abilities. Adams, when angry, was too apt to lose control over his language or deportment. Pickering never had more complete command over himself than when his feelings were deeply excited: he said and did nothing then which he would not have said or done, had any length of time for reflection intervened.

The private lives of both of them were perfectly pure. They venerated the institutions of religion, and were exemplarily constant and devout in the worship of the congregation. They were enlightened Christians, receiving into believing hearts the teachings of the

divine word. Few men, not professional theologians, were better acquainted with the history of opinion on doctrinal subjects, or had more intelligent and rational views respecting them. The elevated spheres in which they had moved, and their eminence in public affairs, had wrought no change in the simplicity of their manners, or diminished their interest in the humbler concerns of church, neighborhood, or town. Their wives stand together on the highest level, among the loveliest and best of American matrons; while the children of each of them, to the third generation, uphold and brighten the honor of their names,—those of Adams in public life and service, and those of Pickering in learning and science. It is a remarkable fact that the direct descendants of both still occupy the old homesteads, on lands that have never been alienated since the days of their first American ancestors.

Having had to relate how these men for a time were bitterly estranged, a sense of duty, as well as the remembrance of kindness received from each of them in my own early life, has constrained me to this tribute in their honor. Their deep footprints will ever be seen along the path of their country's history. Massachusetts has produced no greater sons; and their names ought for ever to be held in the respectful, grateful, and admiring memory of all Americans.*

* Supplement.

14 DAY USE
RETURN TO DESK FROM WHICH BORROWED
LOAN DEPT.

This book is due on the last date stamped below, or
on the date to which renewed.
Renewed books are subject to immediate recall.

SANTA BARBARA

INTER LIBRARY
LOAN 413

SENT ON ILL

ONE MONTH AFTER RECEIPT

JUL 11 1994

MAR 14 1980

U. C. BERKELEY

AUG 27 1981

MAY 19 1970 00

REC'D LD MAY 19 1970 -3PM 77

SANTA CRUZ

INTERLIBRARY LOAN

JUL 14 1974

8

JUN 23 1974 10

REG'D CIR. SEP 23 1974 00

RECEIVED BY --

SEP 24 1974

C. CIR. JUL 22 1981

NOV 17 1998

CIRCULATION DEPT.

LD 21A-60m-10-'65
(F7763s10)476B

General Library
University of California
Berkeley

YC 50833

LD9-30m-3, '74 (R6900s4) 4185—C-107

141

356977

E 302
P5P5

UNIVERSITY OF CALIFORNIA LIBRARY

